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JOURNAL
OF THE
House of Representatives
OF THE
1997
GENERAL ASSEMBLY
OF THE
STATE OF NORTH CAROLINA
FIRST
SESSION 1997
VOLUME II

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EIGHTY-SEVENTH DAY**HOUSE OF REPRESENTATIVES**

Monday, June 30, 1997

The House meets at 6:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain.

"God of Grace and God of Glory, on Thy people pour Thy power.

"Pour upon this Legislature the power to determine what is best in the interests of Your people who live in this State. Pour upon this Legislature the power to make the necessary and sacrificial decisions that are so difficult to make. Pour upon this Legislature the power to make laws that are not filled with the rhetoric of special interest and back room deals. Pour upon this Legislature the commitment to public responsibility. Pour upon this Legislature, each and everyone of us, the conviction of sacred trust, a deep sense of personal integrity, and the resolve to live as authentic and genuine men and women of leadership. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 26 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (97-0).

Leaves of absence are granted Representatives Cunningham, Easterling, and Nesbitt for today. Representative Hardaway is excused for a portion of the session.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

H.B. 184, AN ACT TO EXEMPT THE NORTH CAROLINA TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN FROM ARTICLE 2A OF THE ADMINISTRATIVE PROCEDURE ACT AND TO REQUIRE THE EMPLOYEE HOSPITAL

AND MEDICAL BENEFITS COMMITTEE TO MEET AT LEAST QUARTERLY.

H.B. 430, AN ACT TO EXEMPT THE NORTH CAROLINA ZOOLOGICAL PARK FROM THE UMSTEAD ACT, WHICH PROHIBITS STATE GOVERNMENT FROM ENGAGING IN THE SALE OF GOODS IN COMPETITION WITH CITIZENS OF THE STATE, AND TO PROVIDE FOR THE ADOPTION OF RULES AUTHORIZING SPECIAL-USE PERMITS FOR THE USE OF PYROTECHNICS IN STATE PARKS.

ENROLLED BILLS

The following bills are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 671, AN ACT TO AMEND THE CHARTER OF THE CITY OF SANFORD AND OTHER LAWS RELATING TO THE CITY BY DELETING THROUGHOUT THE WORDS "BOARD OF ALDERMEN", "BOARD", AND "ALDERMAN" AND SUBSTITUTING, AS APPROPRIATE, THE WORDS "CITY COUNCIL" AND "COUNCIL MEMBER".

H.B. 685, AN ACT RELATING TO THE DEFINITION OF SUBDIVISION IN HARNETT COUNTY AND THE MUNICIPALITIES WITHIN THAT COUNTY.

H.B. 710, AN ACT TO INCREASE THE COST LIMIT ON CONSTRUCTION WORK UNDERTAKEN BY THE CITY OF LAURINBURG USING FORCE ACCOUNT QUALIFIED LABOR.

H.B. 733, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IN FILLING VACANCIES IN THE OFFICE OF REGISTER OF DEEDS, SHERIFF, OR COUNTY COMMISSIONER IN BEAUFORT COUNTY, IF THE VACATING MEMBER WAS A MEMBER OF A POLITICAL PARTY, THE APPOINTING AUTHORITY SHALL APPOINT FROM A LIST RECOMMENDED BY THAT POLITICAL PARTY IF TWO OR MORE NAMES ARE SUBMITTED ON A TIMELY BASIS.

CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

H.B. 587, AN ACT TO ALLOW THE MECKLENBURG COUNTY ALCOHOLIC BEVERAGE CONTROL BOARD TO PROVIDE ITS OWN LAW ENFORCEMENT PERSONNEL AND TO CONTRACT FOR ADDITIONAL LAW ENFORCEMENT SERVICES. (S.L. 1997-224)

H.B. 5, AN ACT TO REQUIRE CERTAIN COVERAGE FOR DIABETES IN HEALTH AND ACCIDENT INSURANCE POLICIES, IN HOSPITAL OR MEDICAL SERVICES PLANS, AND IN HMO PLANS. (S.L. 1997-225)

H.B. 260, AN ACT TO INCREASE THE CAP ON THE INCOME TAX CREDIT FOR REAL PROPERTY DONATED FOR CONSERVATION PURPOSES, TO ENSURE THAT CONSERVATION AND PRESERVATION AGREEMENTS ARE CONSIDERED IN DETERMINING THE APPRAISED VALUE OF LAND AND IMPROVEMENTS, AND TO ESTABLISH THE CONSERVATION GRANT FUND. (S.L. 1997-226)

H.B. 374, AN ACT TO AMEND THE CRIME VICTIMS COMPENSATION ACT TO INCREASE THE ALLOWABLE EXPENSE FOR FUNERALS, TO MAKE VICTIMS OF HIT AND RUN ACCIDENTS AND VICTIMS OF TERRORISM ELIGIBLE FOR COMPENSATION, AND TO PROVIDE THAT COLLATERAL SOURCES FOR THE PAYMENT OF FUNERAL EXPENSES SHALL NOT CONSTITUTE GROUNDS FOR DENIAL OR REDUCTION OF AN AWARD OF COMPENSATION. (S.L. 1997-227)

H.B. 465, AN ACT TO PROVIDE THAT A DEFENDANT BE NOTIFIED WHEN THE PROSECUTOR TAKES A VOLUNTARY DISMISSAL OF THE CHARGES AGAINST THE DEFENDANT AND NEITHER THE DEFENDANT NOR THE DEFENDANT'S ATTORNEY IS PRESENT AT THE TIME OF THE DISMISSAL. (S.L. 1997-228)

H.B. 907, AN ACT TO ESTABLISH A PILOT PROGRAM OF MEDIATED SETTLEMENT CONFERENCES IN DISTRICT COURT ACTIONS INVOLVING CERTAIN FAMILY ISSUES. (S.L. 1997-229)

H.B. 1008, AN ACT REGARDING THE EDUCATIONAL REQUIREMENTS FOR CHIROPRACTIC LICENSURE AND TO AUTHORIZE THE BOARD TO LICENSE PERSONS WHO HAVE PASSED THE NATIONAL CHIROPRACTIC EXAMINATION. (S.L. 1997-230)

H.B. 933, AN ACT TO INCREASE THE FEES COLLECTED UNDER THE PHARMACY PRACTICE ACT. (S.L. 1997-231)

S.B. 997, AN ACT TO PROVIDE THAT A PERSON WHO IGNORES A WARNING REGARDING PERSONAL SAFETY IN A DISASTER SITUATION AND PLACES HIMSELF OR HERSELF OR ANOTHER IN DANGER AND REQUIRES AN EMERGENCY RESCUE IS CIVILLY LIABLE FOR THE COSTS OF THE RESCUE EFFORT. (S.L. 1997-232)

H.B. 597, AN ACT TO BROADEN THE AUTHORITY OF MUNICIPALITIES AND HOSPITAL AUTHORITIES REGARDING LEASES AND JOINT VENTURES. (S.L. 1997-233)

S.B. 393, AN ACT TO MANDATE THE REVOCATION OF A PERSON'S DRIVERS LICENSE OR LIMITED DRIVING PRIVILEGE FOR WILLFUL FAILURE TO COMPLETE COURT-ORDERED COMMUNITY SERVICE AND TO ELIMINATE THE REQUIREMENT FOR JUDICIAL INVOLVEMENT IN THE APPOINTMENT OF COMMUNITY SERVICE COORDINATORS. (S.L. 1997-234)

S.B. 142, AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE STATE PORTS STUDY COMMISSION TO PROVIDE THAT AT LEAST ONE MEMBER OF THE BOARD OF THE NORTH CAROLINA STATE PORTS AUTHORITY BE AFFILIATED WITH A MAJOR EXPORTER OR IMPORTER USING THE STATE PORTS. (S.L. 1997-235)

S.B. 71, AN ACT TO ALLOW SCHOOL BOARDS TO ENTER INTO OPERATIONAL LEASES OF REAL AND PERSONAL PROPERTY FOR USE AS SCHOOL BUILDINGS, FOR THE REVIEW AND APPROVAL OF CERTAIN LEASES BY BOARDS OF COUNTY COMMISSIONERS AND THE LOCAL GOVERNMENT COMMISSION, AND TO MAKE TECHNICAL CORRECTIONS REGARDING THE REVIEW BY THE LOCAL GOVERNMENT COMMISSION OF CERTAIN LEASES, LEASE PURCHASE CONTRACTS, AND INSTALLMENT PURCHASE CONTRACTS. (S.L. 1997-236)

H.B. 195, AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION TO MAKE CLARIFYING CHANGES TO POST-RELEASE SUPERVISION. (S.L. 1997-237)

H.B. 958, AN ACT TO AMEND THE CONCEALED WEAPON AND CONCEALED HANDGUN PERMIT LAWS. (S.L. 1997-238)

S.B. 765, AN ACT TO REQUIRE LOCAL BOARDS OF EDUCATION TO DEDICATE ADEQUATE FUNDING TO STUDENTS IN ALTERNATIVE SCHOOLS. (S.L. 1997-239)

H.B. 746, AN ACT TO DIRECT THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO REVIEW AND ADOPT A POLICY REGARDING UNIFORM HIGHER EDUCATION ADMISSIONS REQUIREMENTS FOR NONPUBLIC SCHOOL STUDENTS. (S.L. 1997-240)

S.B. 329, AN ACT TO REPEAL THE REQUIREMENT THAT STATE SAVINGS BANKS USE THE LETTERS "SSB" OR THE WORDS "SAVINGS BANK" IN THEIR LEGAL NAME IN ORDER TO CONFORM WITH THE REQUIREMENTS APPLICABLE TO FEDERAL SAVINGS BANKS AND TO AMEND THE NORTH CAROLINA RECIPROCAL INTERSTATE BANKING ACT RELATING TO BANKS ACTING AS AGENTS FOR DEPOSITORY INSTITUTION AFFILIATES. (S.L. 1997-241)

H.B. 476, AN ACT TO AMEND THE VITAL RECORDS LAWS PERTAINING TO ACCESS TO, COPIES, AND PUBLIC NATURE OF, AND APPLICATION OF AUTHORIZED FEES, FOR VITAL RECORDS. (S.L. 1997-242)

S.B. 1066, AN ACT TO DIRECT THE STATE BOARD OF EDUCATION TO DETERMINE WHICH GROUPS OF STUDENTS ARE LIKELY TO SCORE BELOW BENCHMARKS ON STATEWIDE TESTS AND TO RECOMMEND WAYS TO FOCUS RESOURCES ON ADDRESSING THE NEEDS OF THOSE STUDENTS. (S.L. 1997-243)

H.B. 530, AN ACT TO EXEMPT CERTAIN CORPORATIONS WHICH OFFER ENGINEERING SERVICES FROM THE APPLICABILITY OF THE PROFESSIONAL CORPORATION ACT. (S.L. 1997-244)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representatives Hill, Eddins, and Watson, Co-Chairs, for the Committee on Environment:

Committee Substitute for **S.B. 125**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE SECRETARY OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO ENCOURAGE THE REDEVELOPMENT OF BROWNFIELDS BY APPROVING THE IMPOSITION OF RESTRICTIONS ON INACTIVE HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITES AND ON OIL OR HAZARDOUS SUBSTANCE DISCHARGES OR RELEASES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representatives Daughtry and Hardy, Co-Chairs, for the Committee on Judiciary I:

Senate Committee Substitute for **H.B. 407**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE CURRENT STATUTES REGARDING FRAUDULENT CONVEYANCES AND TO ADOPT THE UNIFORM FRAUDULENT TRANSFER ACT IN ORDER TO MODERNIZE NORTH CAROLINA LAW AND HARMONIZE OUR LAW ON THIS SUBJECT WITH THOSE STATES THAT HAVE ADOPTED THIS UNIFORM ACT, with recommendation that the House concur.

The bill is placed on the Calendar of July 1.

By Representatives Holmes, Esposito, Creech, and Crawford, Co-Chairs, for the Committee on Appropriations:

H.B. 752, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STATE AGENCIES TO ISSUE DUPLICATE LICENSES WITHOUT CHARGE WHEN THE ORIGINAL LICENSES ARE DESTROYED OR STOLEN DURING THE COMMISSION OF A CRIME, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

House Committee Substitute for **S.B. 714**, A BILL TO BE ENTITLED AN ACT TO REQUIRE HEALTH AND ACCIDENT INSURANCE POLICIES, HOSPITAL OR MEDICAL SERVICE PLANS, HMO PLANS,

AND THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN, TO PROVIDE COVERAGE FOR RECONSTRUCTIVE BREAST SURGERY RESULTING FROM MASTECTOMY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **S.B. 833**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 473**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIRECTOR OF THE BUDGET TO CONTINUE EXPENDITURES FOR THE OPERATION OF GOVERNMENT AT THE LEVEL IN EFFECT ON JUNE 30, 1997, AND TO EXTEND EXPIRING PROVISIONS OF LAW, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Hill for the Permanent Subcommittee on Local, Regional, and State Revenues of the Standing Committee on Finance, with approval of standing committee co-chairs for report to be made directly to the floor of the House:

S.B. 615, A BILL TO BE ENTITLED AN ACT TO PERMIT THE TOWN OF KERNERSVILLE TO LEVY A MOTOR VEHICLE TAX OF UP TO TEN DOLLARS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

SUBCOMMITTEE REFERRALS

Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Standing Committee on Finance, refer the following bills to the Permanent Subcommittee on Local, Regional, and State Revenues.

House Committee Substitute for **S.B. 585**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM RATE OF THE LUMBERTON ROOM OCCUPANCY TAX FROM THREE PERCENT TO SIX PERCENT, AND TO AUTHORIZE THE CITY OF SHELBY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX IF APPROVED BY THE VOTERS OF THE CITY; and

Committee Substitute for **S.B. 711**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF LELAND.

INTRODUCTION OF BILL AND RESOLUTION

The following is introduced, read the first time and referred to committee:

By House Committee on Rules, Calendar, and Operations of the House:

H.J.R. 1238, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENT OF ROBERT V. OWENS, JR. MADE BY THE GOVERNOR TO MEMBERSHIP ON THE NORTH CAROLINA UTILITIES COMMISSION.

The bill is placed on the Calendar pursuant to Rule 36(a).

INTRODUCTION OF PAGES

Pages for the week of June 30 are introduced to the membership. They are: Andrew Lathan Abernethy of Lincoln; Nathaniel Jay Anderson of New Hanover; Robert H. Aycock of Wake; Matthew T. Dockham of Davidson; Mitchell Jamison Eubanks of Cabarrus; Marisa Grant of Wake; Timothy M. Hagen of Robeson; Christopher Morgan Hensley of Wake; Laura Wyatt Hutchinson of Wake; Christian N. Jones of Edgecombe; Bethany Ann Karlek of Davie; Catherine Lanier Lewis of Wake; Alexia Michelle London of Cumberland; Michael Andrew Mann of Carteret; John E. Marko, Jr., of Guilford; Huntington Fouft Mason of Randolph; Travis Brown Moser of Craven; Timothy D. Murphy of Guilford; Amanda Haynes Neely of Wake; Donna Gwyn Pennington of Davie; Joy Davon Polk of Cumberland; John Julian Pugh of Randolph; Cornell Richardson, Jr., of Craven; Terry Wayne Ryals, Jr., of Harnett; Laura Ouren Sams of Guilford; Krista Monnette Staten of Lenoir; Brittany Ann Suttle of Burke; and Aaron Mikel Wosnak of Wake.

BILL PLACED ON CALENDAR

On motion of Representative Morgan, pursuant to Rule 36(a), Committee Substitute for **S.B. 473**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIRECTOR OF THE BUDGET TO CONTINUE EXPENDITURES FOR THE OPERATION OF GOVERNMENT AT THE LEVEL IN EFFECT ON JUNE 30, 1997, AND TO EXTEND EXPIRING PROVISIONS OF LAW, is placed on today's Calendar for immediate consideration.

The bill passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

Representative Yongue states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (112-0).

The bill passes its third reading and is ordered enrolled and presented to the Governor by Special Message.

CONFERENCE REPORT

The material Conference Report for House Committee Substitute for **S.B. 316**, A BILL TO BE ENTITLED AN ACT TO AMEND THE WILLIAM S. LEE QUALITY JOBS AND BUSINESS EXPANSION ACT, is adopted on its third roll call reading, by the following vote, and the Senate is so notified by Special Message. (The Conference Committee Substitute may be found in its entirety in the Appendix.)

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Black, Blue, Bonner, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Eddins, Ellis, Esposito, Fox, Gamble, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, H. Hunter, R. Hunter, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 104.

Voting in the negative: Representatives Berry, Creech, Gardner, Howard, Luebke, Michaux, Neely, and Shubert - 8.

Excused absences: Representatives Cunningham, Easterling, and Nesbitt - 3.

CALENDAR

Action is taken on the following:

Committee Substitute for **H.B. 67**, A BILL TO BE ENTITLED AN ACT TO REDEFINE THE CORPORATE LIMITS OF THE TOWN OF SUMMERFIELD.

On motion of Representative Decker, the House concurs in the material Senate amendment on its third roll call reading, which changes the title, by the following vote, and the bill is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Eddins, Ellis, Esposito, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 111.

Voting in the negative: None.

Excused absences: Representatives Cunningham, Easterling, and Nesbitt - 3.

Senate Committee Substitute for **H.B. 810**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE NASH COUNTY TO LEVY AN ADDITIONAL ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX.

On motion of Representative Tolson, the House concurs in the material Senate committee substitute on its third roll call reading, which changes the title, by the following vote, and the bill is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baddour, Barbee, Beall, Black, Blue, Bonner, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Daughtry, Decker, Dedmon, Dickson, Dockham, Earle, Ellis, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, Womble, Wright, and Yongue - 102.

Voting in the negative: Representatives Allred, Baker, Berry, Capps, Creech, Davis, Eddins, Hardy, and G. Wilson - 9.

Excused absences: Representatives Cunningham, Easterling, and Nesbitt - 3.

Senate Committee Substitute for **H.B. 400**, A BILL TO BE ENTITLED AN ACT TO REWRITE THE AUTHORITY OF THE STATE BANKING COMMISSION TO ASSESS BANKS AND CONSUMER FINANCE LICENSEES FOR THE MAINTENANCE AND OPERATION OF THE OFFICE OF THE COMMISSIONER OF BANKS.

On motion of Representative Tallent, the House concurs in the Senate committee substitute, by electronic vote (110-2), and the bill is ordered enrolled and presented to the Governor.

Senate Committee Substitute for **H.B. 434**, A BILL TO BE ENTITLED AN ACT TO CONFORM NORTH CAROLINA HEALTH INSURANCE LAWS TO RECENTLY ENACTED FEDERAL LAWS CONCERNING HEALTH INSURANCE UNDERWRITING AND PORTABILITY, MATERNITY COVERAGE, AND COVERAGE FOR MENTAL ILLNESS.

On motion of Representative Dockham, the House concurs in the Senate committee substitute, by electronic vote (112-0), and the bill is ordered enrolled and presented to the Governor by Special Message.

Senate Committee Substitute No. 2 for **H.B. 460**, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE NORTH CAROLINA AQUARIUMS COMMISSION, TO DESIGNATE WHO HAS THE DUTY TO ESTABLISH AND REVISE FEES FOR THE NORTH CAROLINA AQUARIUMS, AND TO MAKE TECHNICAL CORRECTIONS.

On motion of Representative Culpepper, the House concurs in Senate Committee Substitute Bill No. 2, which changes the title, by electronic vote (111-1), and the bill is ordered enrolled and presented to the Governor.

Senate Committee Substitute for **H.B. 852**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT INFORMATION IN THE STOKES COUNTY 911 DATABASE OBTAINED FROM A TELEPHONE COMPANY IS CONFIDENTIAL IF REQUIRED BY THE AGREEMENT OBTAINING THE INFORMATION.

On motion of Representative Baker, the House concurs in the Senate committee substitute, which changes the title, and changes the bill from local to public by electronic vote (112-0).

The bill is ordered enrolled and presented to the Governor.

BILLS PLACED ON CALENDAR

On motion of Representative Morgan and pursuant to Rule 36(a), House Committee Substitute for **S.B. 262**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF HUNTERSVILLE TO ENTER INTO AN AGREEMENT FOR PAYMENTS IN LIEU OF ANNEXATION and House Committee Substitute for **S.B. 390**, A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN TERRITORIES TO THE TOWN OF HUNTERSVILLE, MECKLENBURG COUNTY, are placed on today's Calendar for immediate consideration.

House Committee Substitute for **S.B. 262**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF HUNTERSVILLE TO ENTER INTO AN AGREEMENT FOR PAYMENTS IN LIEU OF ANNEXATION, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp,

Culpepper, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Eddins, Esposito, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 110.

Voting in the negative: Representative Ellis.

Excused absences: Representatives Cunningham, Easterling, Hardaway, and Nesbitt - 4.

House Committee Substitute for **S.B. 390**, A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN TERRITORIES TO THE TOWN OF HUNTERSVILLE, MECKLENBURG COUNTY, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Eddins, Ellis, Esposito, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 110.

Voting in the negative: None.

Excused absences: Representatives Cunningham, Easterling, Hardaway, and Nesbitt - 4.

CALENDAR (continued)

On motion of the Chair, and without objection, Committee Substitute for **H.B. 1027**, A BILL TO BE ENTITLED AN ACT TO STIMULATE SUBSTANTIAL GROWTH OF VENTURE CAPITAL INVESTMENTS IN NORTH CAROLINA THROUGH INVESTMENTS BY THE STATE TREASURER, is moved up on today's Calendar.

Representative Owens offers Amendment No. 1 which is adopted by electronic vote (113-0).

Representative Capps offers Amendment No. 2 which is adopted by electronic vote (114-0).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Aldridge, Alexander, Allred, Baddour, Baker, Barbee, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Capps, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Gray, Gulley, Hackney, Hall, Hardy, Hensley, Hiatt, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 105.

Voting in the negative: Representatives Arnold, Beall, Berry, Cansler, Creech, Grady, Hightower, Michaux, Nichols, and Ramsey - 10.

Excused absences: Representatives Cunningham, Easterling, Hardaway, and Nesbitt - 4.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

On motion of the Chair, and without objection, Committee Substitute for **S.B. 521**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH PILOT PROGRAMS ON SEXUAL ASSAULT FOR INMATES AND

EMPLOYEES OF THE DEPARTMENT OF CORRECTION, is moved up on today's Calendar.

Representative Dickson offers Amendment No. 1 which is adopted by electronic vote (113-0).

The bill, as amended, passes its third reading, by electronic vote (113-0), and is ordered sent to the Senate for concurrence in House amendment by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 614**, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF SWIFT CREEK.

Representative Miner inquires of the Chair if the bill requires a three-fifths majority vote to pass, pursuant to Article 7, Section 1 of the North Carolina Constitution. The Speaker rules that it does.

The bill fails to pass its second reading, by the following vote.

Those voting in the affirmative are: Speaker Brubaker; Representatives Aldridge, Allred, Arnold, Baker, Barbee, Berry, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cole, Crawford, Creech, Culp, Culpepper, Davis, Dickson, Eddins, Ellis, Fox, Gamble, Gardner, Goodwin, Grady, R. Hunter, Insko, Jeffus, Justus, Nichols, Nye, Preston, Reynolds, Rogers, Sexton, Sherrill, Shubert, Smith, Starnes, Tallent, Watson, G. Wilson, Wood, and Yongue - 47.

Voting in the negative: Representatives Adams, Alexander, Baddour, Beall, Black, Blue, Bonner, Boyd-McIntyre, Braswell, Daughtry, Decker, Dedmon, Dockham, Earle, Esposito, Fitch, Gray, Gulley, Hall, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, H. Hunter, Hurley, Ives, Jarrell, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Mosley, Neely, Oldham, Owens, Ramsey, Rayfield, Redwine, Saunders, Sutton, Tolson, Wainwright, Warner, Warwick, Weatherly, Wilkins, C. Wilson, Womble, and Wright - 62.

Excused absences: Representatives Cunningham, Easterling, Hardaway, and Nesbitt - 4.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 637, A BILL TO BE ENTITLED AN ACT TO ALLOW THE DIRECTOR OF TRANSPORTATION OF THE CITY OF CHARLOTTE TO SET CERTAIN SPEED LIMITS.

Representative C. Wilson offers Amendment No. 1 which is adopted by electronic vote (114-0).

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading, by electronic vote (86-28), and is ordered sent to the Senate for concurrence in House amendment.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 249, A BILL TO BE ENTITLED AN ACT TO CLARIFY WHAT FUNDS MAY BE USED TO REPAY SPECIAL OBLIGATION BONDS AND TO MAKE OTHER CHANGES IN THE LAWS CONCERNING THESE BONDS**, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 114.

Voting in the negative: Representative Blue.

Excused absences: Representatives Cunningham, Easterling, Hardaway, and Nesbitt - 4.

House Committee Substitute for **S.B. 875**, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE PROCEDURES FOR RECORDING MAPS AND PLATS, TO REVISE THE LAW GOVERNING THE DISPOSITION OF CERTAIN BIRTH AND DEATH CERTIFICATES, AND TO ESTABLISH A STUDY OF LAND TITLE REGISTRATION PROCEDURES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Daughtry, Decker, Dedmon, Dickson, Dockham, Earle, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gulley, Hackney, Hardaway, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 107.

Voting in the negative: Speaker Brubaker; Representatives Baker, Davis, Goodwin, Gray, Hall, and Hardy - 7.

Excused absences: Representatives Cunningham, Easterling, and Nesbitt - 3.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 910**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE STATUTE OF LIMITATIONS FOR ACTIONS ON OFFICIAL BONDS FROM SIX YEARS TO THREE YEARS.

On motion of Representative Morgan, the bill is temporarily displaced.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 411**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF WILLIAMSTON TO EXERCISE

EXTRATERRITORIAL JURISDICTION OVER AN AREA EXTENDING TWO MILES FROM ITS LIMITS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Daughtry, Decker, Dedmon, Dickson, Dockham, Earle, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Himes, Howard, H. Hunter, R. Hunter, Hurley, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Wood, Wright, and Yongue - 109.

Voting in the negative: Representatives Capps, Davis, Eddins, and Ellis - 4.

Excused absences: Representatives Cunningham, Easterling, and Nesbitt - 3.

Committee Substitute for **S.B. 668**, A BILL TO BE ENTITLED AN ACT TO AMEND THE EDUCATION REQUIREMENTS FOR CERTIFIED PUBLIC ACCOUNTANTS.

Representative Shubert requests that she be excused from voting on this bill under Rule 24.1A and this request is granted.

The bill passes its second reading, by electronic vote (113-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan and without objection, Committee Substitute for **S.J.R. 414**, A JOINT RESOLUTION HONORING THE

ACCOMPLISHMENTS OF COACH DEAN EDWARDS SMITH AND THE MEN'S BASKETBALL PROGRAM AT THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, is withdrawn from the Calendar and placed on the Calendar of July 1.

CALENDAR (continued)

S.B. 996, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM THE PLUMBING LICENSURE REQUIREMENTS CERTAIN PERSONS PERFORMING ON-SITE ASSEMBLY OF FACTORY DESIGNED DRAIN SYSTEMS UNDERNEATH MANUFACTURED HOMES.

Representative Ives offers Amendment No. 1 which is adopted by electronic vote (111-0).

The bill, as amended, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment.

S.B. 1074, A BILL TO BE ENTITLED AN ACT TO OFFICIALLY RECOGNIZE THE INDIANS PREVIOUSLY RECOGNIZED IN THE GENERAL STATUTES AS THE HALIWA TRIBE AS THE HALIWA SAPONI TRIBE, passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

House Committee Substitute for **S.B. 910**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE STATUTE OF LIMITATIONS FOR ACTIONS ON OFFICIAL BONDS FROM SIX YEARS TO THREE YEARS, which was temporarily displaced, is before the Body.

The bill passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

RECALL OF BILL

On motion of Representative Morgan, a message is sent to the Senate requesting the return of **H.B. 84**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THREE OF THE MEMBERS ELECTED TO THE PINEHURST VILLAGE COUNCIL IN 1995 SHALL SERVE FOUR-YEAR TERMS, for further consideration by the House.

On motion of the Chair, the House recesses at 7:30 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

ENROLLED BILLS

The following bills are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 67, AN ACT TO REDEFINE THE CORPORATE LIMITS OF THE TOWN OF SUMMERFIELD, AND CONCERNING THE TOWN OF LELAND.

H.B. 549, AN ACT TO EXCHANGE TRACTS OF LAND BETWEEN THE CORPORATE LIMITS OF THE CITY OF ASHEVILLE AND THE TOWN OF BILTMORE FOREST.

H.B. 655, AN ACT CONCERNING THE ANNEXATION OF NONCONTIGUOUS AREAS BY THE TOWN OF MADISON.

H.B. 695, AN ACT TO ANNEX A DESCRIBED AREA TO THE TOWN OF ABERDEEN.

H.B. 753, AN ACT TO MOVE A PARCEL OF PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF ABERDEEN AND TO THE TOWN OF SOUTHERN PINES, AND TO ANNEX A PARCEL OF PROPERTY TO THE TOWN OF ABERDEEN.

H.B. 789, AN ACT TO REVISE THE BOUNDARIES OF THE TOWN OF OAKBORO.

H.B. 810, AN ACT TO AUTHORIZE NASH COUNTY TO LEVY AN ADDITIONAL ROOM OCCUPANCY AND TOURISM DEVELOPMENT

TAX AND TO ANNEX THE GOLD ROCK I-95 INTERCHANGE AREA INTO THE CITY OF ROCKY MOUNT.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

S.B. 473, AN ACT TO AUTHORIZE THE DIRECTOR OF THE BUDGET TO CONTINUE EXPENDITURES FOR THE OPERATION OF GOVERNMENT AT THE LEVEL IN EFFECT ON JUNE 30, 1997, AND TO EXTEND EXPIRING PROVISIONS OF LAW.

H.B. 434, AN ACT TO CONFORM NORTH CAROLINA HEALTH INSURANCE LAWS TO RECENTLY ENACTED FEDERAL LAWS CONCERNING HEALTH INSURANCE UNDERWRITING AND PORTABILITY, MATERNITY COVERAGE, AND COVERAGE FOR MENTAL ILLNESS.

On motion of Representative Dockham, seconded by Representative Church, the House adjourns at 7:51 p.m. to reconvene July 1 at 10:00 a.m.

EIGHTY-EIGHTH DAY

HOUSE OF REPRESENTATIVES

Tuesday, July 1, 1997

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend Harold McKinnish, Interim Pastor, East Flat Rock Baptist Church, Henderson County, North Carolina.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 30 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (89-1).

Leaves of absence are granted Representatives Alexander, Braswell, Cunningham, Easterling, and Nesbitt for today. Representatives Baddour, Ellis, and Fox are excused for a portion of the session.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

S.B. 316, AN ACT TO AMEND THE WILLIAM S. LEE QUALITY JOBS AND BUSINESS EXPANSION ACT.

S.B. 668, AN ACT TO AMEND THE EDUCATION REQUIREMENTS FOR CERTIFIED PUBLIC ACCOUNTANTS.

S.B. 1074, AN ACT TO OFFICIALLY RECOGNIZE THE INDIANS PREVIOUSLY RECOGNIZED IN THE GENERAL STATUTES AS THE HALIWA TRIBE AS THE HALIWA SAPONI TRIBE.

H.B. 400, AN ACT TO REWRITE THE AUTHORITY OF THE STATE BANKING COMMISSION TO ASSESS BANKS AND CONSUMER FINANCE LICENSEES FOR THE MAINTENANCE AND OPERATION OF THE OFFICE OF THE COMMISSIONER OF BANKS.

H.B. 460, AN ACT TO ABOLISH THE NORTH CAROLINA AQUARIUMS COMMISSION, TO AUTHORIZE THE SECRETARY OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO ADOPT ENTRANCE FEES FOR THE NORTH CAROLINA AQUARIUMS, AND TO MAKE TECHNICAL CORRECTIONS.

H.B. 852, AN ACT TO PROVIDE THAT INFORMATION IN A 911 DATABASE OBTAINED FROM A TELEPHONE COMPANY IS CONFIDENTIAL IF REQUIRED BY THE AGREEMENT OBTAINING THE INFORMATION.

ENROLLED BILL

The following bill is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 500, AN ACT TO ESTABLISH THE MOUNTAIN ISLAND LAKE MARINE COMMISSION AND TO MODIFY THE PROVISIONS FOR NO-WAKE ZONES ON LAKE NORMAN.

CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

H.B. 671, AN ACT TO AMEND THE CHARTER OF THE CITY OF SANFORD AND OTHER LAWS RELATING TO THE CITY BY DELETING THROUGHOUT THE WORDS "BOARD OF ALDERMEN", "BOARD", AND "ALDERMAN" AND SUBSTITUTING, AS APPROPRIATE, THE WORDS "CITY COUNCIL" AND "COUNCIL MEMBER". (S.L. 1997-245)

H.B. 685, AN ACT RELATING TO THE DEFINITION OF SUBDIVISION IN HARNETT COUNTY AND THE MUNICIPALITIES WITHIN THAT COUNTY. (S.L. 1997-246)

H.B. 710, AN ACT TO INCREASE THE COST LIMIT ON CONSTRUCTION WORK UNDERTAKEN BY THE CITY OF LAURINBURG USING FORCE ACCOUNT QUALIFIED LABOR. (S.L. 1997-247)

H.B. 733, AN ACT TO PROVIDE THAT IN FILLING VACANCIES IN THE OFFICE OF REGISTER OF DEEDS, SHERIFF, OR COUNTY COMMISSIONER IN BEAUFORT COUNTY, IF THE VACATING MEMBER WAS A MEMBER OF A POLITICAL PARTY, THE APPOINTING AUTHORITY SHALL APPOINT FROM A LIST RECOMMENDED BY THAT POLITICAL PARTY IF TWO OR MORE NAMES ARE SUBMITTED ON A TIMELY BASIS. (S.L. 1997-248)

H.B. 67, AN ACT TO REDEFINE THE CORPORATE LIMITS OF THE TOWN OF SUMMERFIELD, AND CONCERNING THE TOWN OF LELAND. (S.L. 1997-249)

H.B. 549, AN ACT TO EXCHANGE TRACTS OF LAND BETWEEN THE CORPORATE LIMITS OF THE CITY OF ASHEVILLE AND THE TOWN OF BILTMORE FOREST. (S.L. 1997-250)

H.B. 655, AN ACT CONCERNING THE ANNEXATION OF NON-CONTIGUOUS AREAS BY THE TOWN OF MADISON. (S.L. 1997-251)

H.B. 695, AN ACT TO ANNEX A DESCRIBED AREA TO THE TOWN OF ABERDEEN. (S.L. 1997-252)

H.B. 753, AN ACT TO MOVE A PARCEL OF PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF ABERDEEN AND TO THE TOWN OF SOUTHERN PINES, AND TO ANNEX A PARCEL OF PROPERTY TO THE TOWN OF ABERDEEN. (S.L. 1997-253)

H.B. 789, AN ACT TO REVISE THE BOUNDARIES OF THE TOWN OF OAKBORO. (S.L. 1997-254)

H.B. 810, AN ACT TO AUTHORIZE NASH COUNTY TO LEVY AN ADDITIONAL ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX AND TO ANNEX THE GOLD ROCK I-95 INTERCHANGE AREA INTO THE CITY OF ROCKY MOUNT. (S.L. 1997-255)

S.B. 473, AN ACT TO AUTHORIZE THE DIRECTOR OF THE BUDGET TO CONTINUE EXPENDITURES FOR THE OPERATION OF GOVERNMENT AT THE LEVEL IN EFFECT ON JUNE 30, 1997, AND TO EXTEND EXPIRING PROVISIONS OF LAW. (S.L. 1997-256)

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
June 30, 1997

Mr. Speaker:

On **S.B. 316** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE WILLIAM S. LEE QUALITY JOBS AND BUSINESS EXPANSION ACT, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees.

Pursuant to the message that your Honorable Body has adopted the report of the conferees, the President has ordered the bill enrolled.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 265**, A BILL TO BE ENTITLED AN ACT TO ADD VARIOUS COUNTIES TO THOSE COUNTIES

AUTHORIZED TO ESTABLISH THE BOUNDARIES BETWEEN AND AMONG THEM BY THE USE OF ORTHOPHOTOGRAPHY, is returned for concurrence in Senate committee substitute and placed on the Calendar of July 2.

Upon concurrence, the Senate committee substitute changes the title.

Senate Committee Substitute for **H.B. 452**, A BILL TO BE ENTITLED AN ACT TO AMEND THE BEACH PLAN PARTICIPATION FORMULA AND REVISE OTHER STATUTES RELATED TO THE BEACH PLAN, is returned for concurrence in Senate committee substitute and referred to the Committee on Rules, Calendar, and Operations of the House.

Upon concurrence, the Senate committee substitute changes the title.

Senate Committee Substitute for **H.B. 651**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE ISSUANCE OF CERTAIN ALCOHOLIC BEVERAGE CONTROL PERMITS IN INTERSTATE ECONOMIC DEVELOPMENT ZONES, is returned for concurrence in Senate committee substitute and referred to the Committee on Commerce.

Senate Committee Substitute for **H.B. 739**, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN AND CLARIFY THE DEALERS AND MANUFACTURERS LICENSING LAW, is returned for concurrence in Senate committee substitute and referred to the Committee on Commerce.

Senate Committee Substitute for **H.B. 892**, A BILL TO BE ENTITLED AN ACT TO GIVE THE VOTERS OF BEAUFORT COUNTY THE SAME RIGHT TO PETITION FOR CHANGES TO THE STRUCTURE OF THE BOARD OF COUNTY COMMISSIONERS AND BOARD OF EDUCATION THAT THE GENERAL LAW PROVIDES FOR CITY RESIDENTS AS TO THEIR CITY COUNCIL, is returned for concurrence in Senate committee substitute and placed on the Calendar of July 2.

Upon concurrence, the Senate committee substitute changes the title.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 407**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE CURRENT STATUTES REGARDING

FRAUDULENT CONVEYANCES AND TO ADOPT THE UNIFORM FRAUDULENT TRANSFER ACT IN ORDER TO MODERNIZE NORTH CAROLINA LAW AND HARMONIZE OUR LAW ON THIS SUBJECT WITH THOSE STATES THAT HAVE ADOPTED THIS UNIFORM ACT.

On motion of Representative Neely, the bill is temporarily displaced.

House Committee Substitute for **S.B. 411**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF WILLIAMSTON TO EXERCISE EXTRATERRITORIAL JURISDICTION OVER AN AREA EXTENDING TWO MILES FROM ITS LIMITS, passes its second reading, by the following vote, and is ordered sent to the Senate for concurrence in House committee substitute.

Those voting in the affirmative are: Representatives Adams, Aldridge, Allred, Arnold, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Boyd-McIntyre, Brawley, Brown, Buchanan, Cansler, Carpenter, Clary, Cole, Culp, Culpepper, Daughtry, Decker, Dedmon, Dickson, Dockham, Earle, Esposito, Fox, Gardner, Goodwin, Grady, Gulley, Hackney, Hall, Hardy, Hensley, Hiatt, Hightower, Hill, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 96.

Voting in the negative: Representatives Capps, Davis, Eddins, and Ellis - 4.

Excused absences: Representatives Alexander, Baddour, Braswell, Cunningham, Easterling, and Nesbitt - 6.

Representative Aldridge requests and is granted permission to be recorded as voting "no". The adjusted vote total is (95-5).

House Committee Substitute for **S.B. 262**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF HUNTERSVILLE TO ENTER INTO AN AGREEMENT FOR PAYMENTS IN LIEU OF ANNEXATION, passes its third reading, by the following vote, and is

ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Allred, Arnold, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Boyd-McIntyre, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Culp, Culpepper, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Eddins, Esposito, Fox, Gardner, Goodwin, Grady, Gulley, Hackney, Hall, Hardy, Hensley, Hiatt, Hightower, Hill, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 100.

Voting in the negative: Representative Ellis.

Excused absences: Representatives Alexander, Baddour, Braswell, Cunningham, Easterling, and Nesbitt - 6.

House Committee Substitute for **S.B. 390**, A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN TERRITORIES TO THE TOWN OF HUNTERSVILLE, MECKLENBURG COUNTY, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Allred, Arnold, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Boyd-McIntyre, Brawley, Brown, Buchanan, Cansler, Capps, Church, Clary, Cole, Culp, Culpepper, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Eddins, Ellis, Esposito, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardy, Hensley, Hiatt, Hightower, Hill, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 100.

Voting in the negative: None.

Excused absences: Representatives Alexander, Baddour, Braswell, Cunningham, Easterling, and Nesbitt - 6.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 579**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF LENOIR TO ALLOW SALARY INCREASES FOR THE CITY COUNCIL AND THE MAYOR AND TO ALLOW THE MAYOR TO BE ELECTED FOR A TERM OF FOUR YEARS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

House Committee Substitute for **S.B. 249**, A BILL TO BE ENTITLED AN ACT TO CLARIFY WHAT FUNDS MAY BE USED TO REPAY SPECIAL OBLIGATION BONDS AND TO MAKE OTHER CHANGES IN THE LAWS CONCERNING THESE BONDS, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House committee substitute.

Those voting in the affirmative are: Representatives Adams, Aldridge, Allred, Arnold, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Culp, Culpepper, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Eddins, Ellis, Esposito, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardy, Hensley, Hiatt, Hightower, Hill, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Wood, Wright, and Yongue - 104.

Voting in the negative: None.

Excused absences: Representatives Alexander, Baddour, Braswell, Cunningham, Easterling, and Nesbitt - 6.

House Committee Substitute for **S.B. 875**, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE PROCEDURES FOR RECORDING MAPS

AND PLATS, TO REVISE THE LAW GOVERNING THE DISPOSITION OF CERTAIN BIRTH AND DEATH CERTIFICATES, AND TO ESTABLISH A STUDY OF LAND TITLE REGISTRATION PROCEDURES.

On motion of Representative Shubert, the bill is temporarily displaced.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 14**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE SALES TAX DEFINITION OF CUSTOM COMPUTER SOFTWARE.

Representative Neely requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Aldridge, Allred, Arnold, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Culp, Culpepper, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Eddins, Ellis, Esposito, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardy, Hensley, Hiatt, Hightower, Hill, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 106.

Voting in the negative: None.

Excused vote: Representative Neely.

Excused absences: Representatives Alexander, Baddour, Braswell, Cunningham, Easterling, and Nesbitt - 6.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 132, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CLERKS TO ALLOCATE SPOUSE'S AND CHILDREN'S YEAR'S ALLOWANCE FROM A DECEDENT'S ESTATE.

Representative R. Hunter offers Amendment No. 1 which is adopted by electronic vote (105-0).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Arnold, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Brawley, Brown, Buchanan, Capps, Carpenter, Church, Clary, Cole, Culp, Culpepper, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Eddins, Ellis, Esposito, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 104.

Voting in the negative: Representative Allred.

Excused absences: Representatives Alexander, Baddour, Braswell, Cunningham, Easterling, and Nesbitt - 6.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 885, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AMENDMENTS TO THE LAW REGARDING THE TIME FOR EXECUTION**, passes its second reading by electronic vote (103-2).

Representative Brawley objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute No. 2 for **S.B. 625, A BILL TO BE ENTITLED AN ACT TO MAKE SPEEDING IN EXCESS OF THE POSTED**

SPEED ON SCHOOL GROUNDS AN INFRACTION AND TO INCREASE THE PENALTY FOR SPEEDING IN A SCHOOL ZONE, passes its second reading by electronic vote (111-0).

Representative Hensley objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 784**, A BILL TO BE ENTITLED AN ACT TO PROVIDE TAX RELIEF AND SIMPLIFICATION BY CONFORMING STATE TAX LAW TO THE FEDERAL RULE THAT GRANTS A FILING EXTENSION EVEN IF THE REQUEST IS NOT ACCOMPANIED BY PAYMENT.

On motion of the Chair, the bill is temporarily displaced.

Committee Substitute for **S.J.R. 414**, A JOINT RESOLUTION HONORING THE ACCOMPLISHMENTS OF COACH DEAN EDWARDS SMITH AND THE MEN'S BASKETBALL PROGRAM AT THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL.

On motion of Representative Morgan and without objection, the resolution is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 182**, A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN PERMANENT RULES ADOPTED BY THE WILDLIFE RESOURCES COMMISSION TO BECOME EFFECTIVE UPON APPROVAL BY THE RULES REVIEW COMMISSION.

On motion of Representative Hightower, consideration of the bill is postponed until July 8 by electronic vote (73-38).

House Committee Substitute for **S.B. 784**, A BILL TO BE ENTITLED AN ACT TO PROVIDE TAX RELIEF AND SIMPLIFICATION BY CONFORMING STATE TAX LAW TO THE FEDERAL RULE THAT GRANTS A FILING EXTENSION EVEN IF THE REQUEST IS NOT ACCOMPANIED BY PAYMENT, which was temporarily displaced, is before the Body.

The bill passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

Senate Committee Substitute for **H.B. 407**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE CURRENT STATUTES REGARDING FRAUDULENT CONVEYANCES AND TO ADOPT THE UNIFORM FRAUDULENT TRANSFER ACT IN ORDER TO MODERNIZE NORTH CAROLINA LAW AND HARMONIZE OUR LAW ON THIS SUBJECT WITH THOSE STATES THAT HAVE ADOPTED THIS UNIFORM ACT, which was temporarily displaced, is before the Body.

On motion of Representative Baddour, the House concurs in the Senate committee substitute, by electronic vote (111-0), and the bill is ordered enrolled and presented to the Governor.

House Committee Substitute for **S.B. 875**, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE PROCEDURES FOR RECORDING MAPS AND PLATS, TO REVISE THE LAW GOVERNING THE DISPOSITION OF CERTAIN BIRTH AND DEATH CERTIFICATES, AND TO ESTABLISH A STUDY OF LAND TITLE REGISTRATION PROCEDURES.

Representative Goodwin offers Amendment No. 1 which is adopted by electronic vote (112-0).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

Those voting in the affirmative are: Representatives Adams, Aldridge, Arnold, Baddour, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Brawley, Brown, Buchanan, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Daughtry, Davis, Dedmon, Dickson, Dockham, Earle, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Goodwin, Grady, Gulley, Hackney, Hall, Hardaway, Hensley, Hiatt, Hightower, Hill, Holmes, H. Hunter, R. Hunter, Hurley, Ives, Jarrell, Jeffus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner,

Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 102.

Voting in the negative: Representatives Allred, Baker, Decker, Gray, Hardy, Insko, Justus, and Wood - 8.

Excused absences: Representatives Alexander, Braswell, Cunningham, Easterling, and Nesbitt - 5.

RE-REFERRAL

On motion of Representative Buchanan and without objection, **H.B. 1081**, A BILL TO BE ENTITLED AN ACT TO AMEND LAWS GOVERNING CONDEMNATION TO AUTHORIZE AWARD OF ATTORNEYS' FEES, is withdrawn from the Committee on Transportation and re-referred to the Committee on Appropriations.

WITHDRAWAL OF OBJECTION TO THIRD READING

Representative Brawley withdraws his objection to the third reading of Committee Substitute for **S.B. 885**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AMENDMENTS TO THE LAW REGARDING THE TIME FOR EXECUTION, and the bill is before the Body.

The bill passes its third reading, by electronic vote (105-3), and is ordered enrolled and presented to the Governor.

SUBCOMMITTEE REFERRAL

Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Standing Committee on Finance, refer Committee Substitute for **H.B. 777**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF KINGS MOUNTAIN TO ANNEX CERTAIN NONCONTIGUOUS PROPERTY, PROHIBITING THE CITY FROM RESTRICTING RECREATIONAL USES OF MOSS LAKE, AND REQUIRING THE CITY TO CREATE AN AUTHORITY TO ADDRESS ISSUES RELATED TO MOSS LAKE, to the Permanent Subcommittee on Local, Regional, and State Revenues.

On motion of Representative Morgan, seconded by Representative Womble, the House adjourns at 11:15 a.m. to reconvene July 2 at 10:00 a.m.

EIGHTY-NINTH DAY**HOUSE OF REPRESENTATIVES**

Wednesday, July 2, 1997

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Bonner.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 1 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (94-0).

Leaves of absence are granted Representatives Carpenter, Easterling, and Nesbitt for today. Representative Miller is excused for a portion of the session.

**THE RECEIVING OF PETITIONS, MEMORIALS AND
PAPERS ADDRESSED TO THE GENERAL ASSEMBLY OR
TO THE HOUSE**

**STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR
RALEIGH 27603-8001**

June 30, 1997

The Honorable Harold Brubaker
Speaker of the House
2304 Legislative Building
Raleigh, NC 27601

Dear Mr. Speaker:

Pursuant to General Statute 126-2, I hereby appoint Tom Miriello to serve as a member of the North Carolina State Personnel Commission and submit his name for confirmation by the North Carolina General Assembly. Mr. Miriello will serve a term to begin immediately and to expire June 30, 1999.

1997]

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Enclosed is biographical information on Mr. Miriello. Please feel free to call on him or members of my staff if you need additional information.

My warmest personal regards.

Sincerely,
S/ James B. Hunt, Jr.
Governor

**STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR
RALEIGH 27603-8001**

June 30, 1997

The Honorable Harold Brubaker
Speaker of the House
2304 Legislative Building
Raleigh, NC 27601

Dear Mr. Speaker:

Pursuant to General Statute 126-2, I hereby appoint Stephen Davis to serve as a member of the North Carolina State Personnel Commission and submit his name for confirmation by the North Carolina General Assembly. Mr. Davis will serve a term to begin July 1, 1997 and to expire June 30, 2003.

Enclosed is biographical information on Mr. Davis. Please feel free to call on him or members of my staff if you need additional information.

My warmest personal regards.

Sincerely,
S/ James B. Hunt, Jr.
Governor

**STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR
RALEIGH 27603-8001**

June 30, 1997

The Honorable Harold Brubaker
Speaker of the House
2304 Legislative Building
Raleigh, NC 27601

Dear Mr. Speaker:

Pursuant to General Statute 126-2, I hereby appoint Garey Ballance to serve as a member of the North Carolina State Personnel Commission and submit his name for confirmation by the North Carolina General Assembly. Mr. Ballance will serve a term to begin immediately and to expire June 30, 2001.

Enclosed is biographical information on Mr. Ballance. Please feel free to call on him or members of my staff if you need additional information.

My warmest personal regards.

Sincerely,

S/ James B. Hunt, Jr.

Governor

**STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR
RALEIGH 27603-8001**

June 30, 1997

The Honorable Harold Brubaker
Speaker of the House
2304 Legislative Building
Raleigh, NC 27601

Dear Mr. Speaker:

Pursuant to General Statute 126-2, I hereby appoint Becky Keith to serve as a member of the North Carolina State Personnel Commission and submit her name for confirmation by the North Carolina General Assembly. Ms. Keith will serve a term to begin July 1, 1997 and to expire June 30, 2003.

Enclosed is biographical information on Ms. Keith. Please feel free to call on her or members of my staff if you need additional information.

My warmest personal regards.

Sincerely,
S/ James B. Hunt, Jr.
Governor

The Chair refers the letters to the Committee on Rules, Calendar, and Operations of the House.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

S.B. 537, AN ACT TO AUTHORIZE THE ADDITION TO THE STATE PARKS SYSTEM OF CERTAIN LANDS LOCATED IN TRANSYLVANIA COUNTY ADJACENT TO JOCASSEE LAKE.

S.B. 521, AN ACT TO ESTABLISH PILOT PROGRAMS ON SEXUAL ASSAULT FOR INMATES AND EMPLOYEES OF THE DEPARTMENT OF CORRECTION.

S.B. 844, AN ACT TO STRENGTHEN THE OPEN MEETINGS LAW TO REQUIRE ACCOUNTS OF CLOSED MEETINGS AND TO CLARIFY WHAT ACTIONS ON ECONOMIC DEVELOPMENT INCENTIVES MAY BE TAKEN IN CLOSED SESSIONS.

S.B. 885, AN ACT TO MAKE TECHNICAL AMENDMENTS TO THE LAW REGARDING THE TIME FOR EXECUTION.

H.B. 311, AN ACT TO MAKE PERMANENT THE EXCLUSION OF FORFEITED RESERVATION DEPOSITS FROM THE ESCHEAT FUND.

H.B. 407, AN ACT TO REPEAL THE CURRENT STATUTES REGARDING FRAUDULENT CONVEYANCES AND TO ADOPT THE UNIFORM FRAUDULENT TRANSFER ACT IN ORDER TO MODERNIZE NORTH CAROLINA LAW AND HARMONIZE OUR LAW ON THIS SUBJECT WITH THOSE STATES THAT HAVE ADOPTED THIS UNIFORM ACT.

H.B. 754, AN ACT TO LEVY AN EXCISE TAX ON ILLICIT SPIRITUOUS LIQUOR, AN EXCISE TAX ON MASH, AND AN EXCISE TAX ON ILLICIT MIXED BEVERAGES.

ENROLLED BILL

The following bill is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 579, AN ACT TO AMEND THE CHARTER OF THE CITY OF LENOIR TO ALLOW SALARY INCREASES FOR THE CITY COUNCIL AND THE MAYOR AND TO ALLOW THE MAYOR TO BE ELECTED FOR A TERM OF FOUR YEARS.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Daughtry and Hardy, Co-Chairs, for the Committee on Judiciary I:

Committee Substitute for **S.B. 943**, A BILL TO BE ENTITLED AN ACT TO ENACT THE MEDICAL ASSISTANCE PROVIDER FALSE CLAIMS ACT, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Dockham for the Committee on Insurance:

Committee Substitute for **S.B. 234**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE STATUTORY AMOUNTS THAT DETERMINE THE ASSESSMENT OF SAFE DRIVER INCENTIVE PLAN POINTS AND TO PROVIDE FOR A GRADUATED INSURANCE POINT AND SURCHARGE SCHEDULE FOR BODILY INJURY CAUSED IN AUTOMOBILE ACCIDENTS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **S.B. 374**, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM SALES AND USE TAX NUTRITIONAL SUPPLEMENTS SOLD BY CHIROPRACTORS, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

S.B. 975, A BILL TO BE ENTITLED AN ACT TO REWRITE THE LAWS CONCERNING EMPLOYER AND EMPLOYER GROUP WORKERS' COMPENSATION SELF-INSURANCE AND CODIFY RELATED ADMINISTRATIVE RULES AND TO PROVIDE FOR GUIDELINES FOR PERSONS AND ENTITIES THAT ADMINISTER OR SERVICE WORKERS' COMPENSATION BUSINESS FOR SELF-INSURED EMPLOYERS AND EMPLOYER GROUPS, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Committee on Finance:

Committee Substitute for **S.B. 389**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA TRIAD METROPOLITAN BASEBALL PARK DISTRICT, TO PROVIDE FOR A REFERENDUM ON BASEBALL PARK FINANCING ON A DATE DESIGNATED BY THE DISTRICT AND TO ALLOW BASEBALL PARK DISTRICTS TO ENTER INTO INSTALLMENT FINANCING AGREEMENTS, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Neely for the Committee on Judiciary II:

Senate Committee Substitute for **H.B. 533**, A BILL TO BE ENTITLED AN ACT TO ADD "DIVISIBLE PROPERTY" AS A CATEGORY OF PROPERTY SUBJECT TO EQUITABLE DISTRIBUTION, TO CREATE A REBUTTABLE PRESUMPTION THAT AN IN KIND DISTRIBUTION OF PROPERTY IS EQUITABLE, TO ENCOURAGE INTERIM DISTRIBUTION OF PROPERTY OR DEBT, AND TO ALLOW CERTAIN EVIDENCE OF THE VALUE OF MARITAL PROPERTY, AS RECOMMENDED BY THE FAMILY LAW SECTION OF THE NORTH CAROLINA BAR ASSOCIATION, with recommendation that the House concur.

The bill is placed on the Calendar of July 3.

CONFERENCE REPORT

Representative Mitchell sends forth the Conference Report on Committee Substitute for **S.B. 764**, A BILL TO BE ENTITLED AN ACT TO AMEND THE WORKERS' COMPENSATION ACT REGARDING EMPLOYER ACCESS TO MEDICAL INFORMATION. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of July 3.

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber

July 1, 1997

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute bill to **S.B. 442** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENSURE THAT PUBLIC SCHOOL STUDENTS RECEIVE ACCURATE INSTRUCTION ON OUR AMERICAN HISTORY, and requests conferees. The President Pro Tempore appoints:

Senator Allran, Chairman

Senator Ballance

Senator Winner

on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,

S/ Janet B. Pruitt

Principal Clerk

The Chair appoints Representative Justus, Chair; Representatives Russell, Kiser, and Hill as conferees on the part of the House and the Senate is so notified by Special Message.

SPECIAL MESSAGE FROM THE SENATE**1997 GENERAL ASSEMBLY**

Senate Chamber

July 1, 1997

Mr. Speaker:

Pursuant to the message from the Senate on June 26, 1997, informing the House of Representatives that the Senate failed to concur the House Committee Substitute bill to **S.B. 556** (Committee Substitute), A BILL TO BE ENTITLED AN ACT REGARDING REQUIREMENTS FOR SPRINKLER SYSTEMS IN FRATERNITY AND SORORITY HOUSES WITHIN THE CITY OF CHARLOTTE AND WITHIN THE CITY'S EXTRATERRITORIAL PLANNING JURISDICTION, which proposes to change the title, upon concurrence, to read **S.B. 556** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT REGARDING REQUIREMENTS FOR SPRINKLER SYSTEMS IN FRATERNITY AND SORORITY HOUSES WITHIN THE CITIES OF CHARLOTTE AND GREENSBORO, AND WITHIN THEIR EXTRATERRITORIAL PLANNING JURISDICTION, it is ordered that a message be sent your Honorable Body with the information that the Senate requests conferees. The President Pro Tempore appoints:

Senator Rucho, Chairman

Senator Miller

Senator Reeves

on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

The Chair appoints Representatives Alexander, McMahan, and Gulley as conferees on the part of the House and the Senate is so notified by Special Message.

SPECIAL MESSAGE FROM THE SENATE**1997 GENERAL ASSEMBLY**

Senate Chamber

July 1, 1997

Mr. Speaker:

Pursuant to the message from the Senate on June 26, 1997, informing the House of Representatives that the Senate failed to concur in the House Committee Substitute bill to **S.B. 993** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COMMISSIONER OF INSURANCE TO ADOPT RULES TO PROTECT THE RIGHTS OF SUBSCRIBERS AND CERTIFICATE HOLDERS IN THE RESERVES AND CAPITAL OF HOSPITAL, MEDICAL, AND DENTAL SERVICE CORPORATIONS UPON CONVERSION, which proposes to change the title, upon concurrence, to read **S.B. 993** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH PROCEDURES FOR CONVERSIONS BY HOSPITAL, MEDICAL, AND DENTAL SERVICE CORPORATIONS, it is ordered that a message be sent your Honorable Body with the information that the Senate requests conferees. The President Pro Tempore appoints:

Senator Rand, Chairman

Senator Cooper

Senator Lee

Senator Hoyle

Senator Winner

Senator Forrester

Senator Horton

Senator Cochrane

on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

The Chair appoints Representative Daughtry, Chair; Representatives Hurley, Dockham, Baddour, McMahan, Gray, and H. Hunter as conferees on the part of the House and the Senate is so notified by Special Message.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

Committee Substitute for **S.B. 915**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE SECRETARY OF REVENUE TO MAKE REFUNDS OF THE INTANGIBLES TAX TO TAXPAYERS WHO ARE ENTITLED TO REFUNDS, is read the first time and referred to the Committee on Finance.

MESSAGE FROM THE SENATE

The following is received from the Senate:

Committee Substitute for **S.B. 483**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE AMOUNT PAID TO PHYSICIANS TO READ X-RAY FILMS FOR THE DUSTY TRADES PROGRAM, is read the first time and referred to the Committee on Commerce and, if favorable, to the Committee on Appropriations.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 892**, A BILL TO BE ENTITLED AN ACT TO GIVE THE VOTERS OF BEAUFORT COUNTY THE SAME RIGHT TO PETITION FOR CHANGES TO THE STRUCTURE OF THE BOARD OF COUNTY COMMISSIONERS AND BOARD OF EDUCATION THAT THE GENERAL LAW PROVIDES FOR CITY RESIDENTS AS TO THEIR CITY COUNCIL.

On motion of Representative Hardy, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (97-10), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 265**, A BILL TO BE ENTITLED AN ACT TO ADD VARIOUS COUNTIES TO THOSE COUNTIES AUTHORIZED TO ESTABLISH THE BOUNDARIES BETWEEN AND AMONG THEM BY THE USE OF ORTHOPHOTOGRAPHY.

On motion of Representative Sexton, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (109-0), and the bill is ordered enrolled and presented to the Governor.

Committee Substitute for **H.B. 14**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE SALES TAX DEFINITION OF CUSTOM COMPUTER SOFTWARE.

Pursuant to Rule 24.1A(c), the request that Representative Neely be excused from voting on July 1 is continued.

Representative Cansler offers Amendment No. 1 which is adopted by electronic vote (109-0).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Eddins, Ellis, Esposito, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McComas, McCombs, McCrary, McMahan, Mercer, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 109.

Voting in the negative: None.

Excused vote: Representative Neely.

Excused absences: Representatives Carpenter, Easterling, Miller, and Nesbitt - 4.

S.B. 132, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CLERKS TO ALLOCATE SPOUSE'S AND CHILDREN'S YEAR'S ALLOWANCE FROM A DECEDENT'S ESTATE.

The bill, as amended, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House amendment.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Eddins, Ellis, Esposito, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McComas, McCombs, McCrary, McMahan, Mercer, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, G. Wilson, Womble, Wood, Wright, and Yongue - 111.

Voting in the negative: None.

Excused absences: Representatives Carpenter, Easterling, and Nesbitt - 3.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 524**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE CAP ON THE AMOUNT OF DRIVERS LICENSE RESTORATION FEES THAT ARE DEPOSITED IN A FUND FOR ALCOHOL STUDIES ENDOWMENT AT THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Eddins, Ellis, Esposito, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McComas, McCombs, McCrary, McMahan, Mercer, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine,

Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Wood, Wright, and Yongue - 110.

Voting in the negative: Representative Allred.

Excused absences: Representatives Carpenter, Easterling, and Nesbitt - 3.

House Committee Substitute for **S.B. 809**, A BILL TO BE ENTITLED AN ACT AMENDING THE NORTH CAROLINA APPRAISERS ACT.

Pursuant to Rule 24.1A(c), the requests that Speaker Brubaker and Representative Wood be excused from voting on June 18 is continued.

On motion of Representative Howard, the bill is withdrawn from the Calendar, ordered engrossed, and re-referred to the Committee on Rules, Calendar, and Operations of the House.

House Committee Substitute No. 2 for **S.B. 625**, A BILL TO BE ENTITLED AN ACT TO MAKE SPEEDING IN EXCESS OF THE POSTED SPEED ON SCHOOL GROUNDS AN INFRACTION AND TO INCREASE THE PENALTY FOR SPEEDING IN A SCHOOL ZONE.

On motion of Representative Hensley and without objection, consideration of the bill is postponed until July 8.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 320**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE ESTABLISHMENT OF PROGRAMS TO TRAIN LICENSED REGISTERED NURSES TO CONDUCT MEDICAL EXAMINATIONS OF VICTIMS OF SEXUAL OFFENSES, TO CONDUCT MEDICAL PROCEDURES TO COLLECT EVIDENCE FROM THE VICTIMS, AND TO ALLOW DIRECT PAYMENT TO NURSES WHO PROVIDE THIS SERVICE.

On motion of the Chair, the bill is temporarily displaced.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 143**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE SALE OR PURCHASE OF TOBACCO

PRODUCTS TO PERSONS LESS THAN EIGHTEEN YEARS OF AGE AND TO REQUIRE THAT CERTAIN PERSONS BE TRAINED REGARDING THESE LAWS.

Representative Sutton offers Amendment No. 1 which is adopted by electronic vote (109-0).

The bill, as amended, passes its second reading, by electronic vote (93-18), and there being no objection is read a third time.

Representative Watson requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (94-17).

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

Pursuant to Rule 36(a), the following resolution appears on today's Calendar.

Committee Substitute for **S.J.R. 1078**, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENT OF RICHARD CONDER MADE BY THE GOVERNOR TO MEMBERSHIP ON THE NORTH CAROLINA UTILITIES COMMISSION, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute joint resolution by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute No. 2 for **S.B. 297**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS GOVERNING CHARTER SCHOOLS.

Representative Daughtry offers Amendment No. 1 which is adopted by electronic vote (108-0).

Representative Eddins offers Amendment No. 2 which fails of adoption by electronic vote (48-66).

Representative Moore offers Amendment No. 3 which fails of adoption by electronic vote (55-60).

Speaker Brubaker is recorded as voting "no". The adjusted vote total is (55-61).

On motion of the Chair, the bill is temporarily displaced.

CHAPTERED BILLS

The following resolution is properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

S.J.R. 1078, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENT OF RICHARD CONDER MADE BY THE GOVERNOR TO MEMBERSHIP ON THE NORTH CAROLINA UTILITIES COMMISSION. (RESOLUTION 19)

CALENDAR (continued)

House Committee Substitute No. 2 for **S.B. 297,** A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS GOVERNING CHARTER SCHOOLS, which was temporarily displaced is before the Body.

Representative Wood offers Amendment No. 4 which is adopted by electronic vote (80-33).

Representative Hensley offers Amendment No. 5.

Representative Daughtry calls the previous question on the amendment and the call is sustained by electronic vote (71-40).

Amendment No. 5 fails of adoption by electronic vote (53-60).

Representative Allred requests to be recorded as voting "no". Representative Insko requests to be recorded as voting "aye". These requests are granted. The adjusted vote total on Amendment No. 5 is (53-61).

Representative Daughtry calls the previous question on the passage of the bill and the call is sustained by electronic vote (63-50).

The bill, as amended, passes its second reading by electronic vote (72-41).

Representative Allred requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (73-41).

Representative Insko objects to the third reading. The bill remains on the Calendar.

House Committee Substitute for **S.B. 320**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE ESTABLISHMENT OF PROGRAMS TO TRAIN LICENSED REGISTERED NURSES TO CONDUCT MEDICAL EXAMINATIONS OF VICTIMS OF SEXUAL OFFENSES, TO CONDUCT MEDICAL PROCEDURES TO COLLECT EVIDENCE FROM THE VICTIMS, AND TO ALLOW DIRECT PAYMENT TO NURSES WHO PROVIDE THIS SERVICE, which was temporarily displaced, is before the Body.

On motion of Representative Morgan, consideration of the bill is postponed until July 8.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Committee on Finance:

H.B. 96, A BILL TO BE ENTITLED AN ACT TO EXPAND THE SALES TAX EXEMPTION FOR MEDICINE USED ON LIVESTOCK AND POULTRY TO INCLUDE VETERINARY SUPPLIES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan and without objection, Committee Substitute No. 2 for **H.B. 417**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE MITCHELL COUNTY AND MADISON COUNTY TO IMPOSE A CHARGE ON THE BUSINESS OF PROVIDING RIVER RAFTING IN THE COUNTY, is withdrawn from the Calendar pursuant to Rule 36(a) and re-referred to the Committee on Rules, Calendar, and Operations of the House.

RE-REFERRALS

On motion of Representative Morgan, pursuant to Rule 39.2 and without objection, **S.B. 60**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE RULES FOR MAKING LEFT TURNS ON VARIOUS ROADWAYS, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Judiciary II.

On motion of Representative Morgan, pursuant to Rule 39.2 and without objection, **S.B. 240**, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE LIMITATION ON CERTAIN KINDS OF POLITICAL FUND-RAISING WHILE THE GENERAL ASSEMBLY IS IN REGULAR SESSION, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Ethics.

On motion of Representative Morgan, pursuant to Rule 39.2 and without objection, **S.B. 438**, A BILL TO BE ENTITLED AN ACT TO AMEND THE ENFORCEMENT PROCEDURES RELATED TO THE REGISTRATION OF SECURITIES AND TO INVESTMENT ADVISERS AND TO ESTABLISH THE CONFIDENTIALITY OF RECORDS RELATING TO CRIMINAL INVESTIGATIONS AND ENFORCEMENT PROCEEDINGS, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Judiciary II.

On motion of Representative Morgan, pursuant to Rule 39.2 and without objection, Committee Substitute for **S.B. 475**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA WOMENWORK FUND FOR DISPLACED HOMEMAKERS TO BE ADMINISTERED BY THE NORTH CAROLINA COUNCIL FOR WOMEN, AND TO ESTABLISH AN ADDITIONAL CIVIL ACTION FEE TO BE COLLECTED BY THE COURT IN DIVORCE ACTIONS, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Finance.

On motion of Representative Morgan, pursuant to Rule 39.2 and without objection, Committee Substitute for **S.B. 539**, A BILL TO BE ENTITLED AN ACT TO REQUIRE MORE SPECIFIC DISCLOSURE OF LOBBYING, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Ethics.

On motion of Representative Morgan, pursuant to Rule 39.2 and without objection, **S.B. 666**, A BILL TO BE ENTITLED AN ACT TO REPEAL

CHAPTER 279 OF THE 1989 SESSION LAWS REGARDING THE AUTHORITY OF MUNICIPALITIES IN WAKE COUNTY TO CLOSE STREETS AND ALLEYS LOCATED WITHIN THEIR EXTRA-TERRITORIAL JURISDICTION, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Local and Regional Government I.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

Senate Committee Substitute for **H.B. 101**, A BILL TO BE ENTITLED AN ACT TO ALLOW STOKES COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS COUNTY BOARD OF EDUCATION, is returned for concurrence in Senate committee substitute.

Upon concurrence, the Senate committee substitute changes the title.

On motion of Representative Morgan and without objection, the bill is placed on the Calendar for immediate consideration.

On motion of Representative Gardner, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (102-0), and the bill is ordered enrolled and presented to the Governor by Special Message.

On motion of Representative Morgan, seconded by Representative Rogers, the House adjourns at 12:40 p.m. to reconvene July 3 at 10:00 a.m.

NINETIETH DAY

HOUSE OF REPRESENTATIVES

Thursday, July 3, 1997

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend Lewis Staton, Maranatha Baptist Church, Hendersonville, North Carolina.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 2 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (92-1).

Leaves of absence are granted Representatives Braswell, Carpenter, Easterling, Hardy, Hightower, McMahan, Nesbitt, and Smith for today.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

S.B. 910, AN ACT TO CHANGE THE STATUTE OF LIMITATIONS FOR ACTIONS ON OFFICIAL BONDS FROM SIX YEARS TO THREE YEARS.

S.B. 996, AN ACT TO EXEMPT FROM THE PLUMBING LICENSURE REQUIREMENTS CERTAIN PERSONS PERFORMING ON-SITE ASSEMBLY OF FACTORY DESIGNED DRAIN SYSTEMS UNDERNEATH MANUFACTURED HOMES.

H.B. 101, AN ACT TO EXTEND THE TIME FOR THE DEPARTMENT OF HUMAN RESOURCES TO ADMINISTER THE SERVICES OF THE TRI-COUNTY AREA AUTHORITY.

H.B. 265, AN ACT TO MAKE STATEWIDE A LOCAL ACT ALLOWING COUNTIES TO ESTABLISH THE BOUNDARIES BETWEEN AND AMONG THEM BY THE USE OF ORTHOPHOTOGRAPHY.

ENROLLED BILLS

The following bills are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 637, AN ACT TO ALLOW THE DIRECTOR OF TRANSPORTATION OF THE CITY OF CHARLOTTE TO SET CERTAIN SPEED LIMITS.

H.B. 892, AN ACT SUBJECT TO A REFERENDUM TO GIVE THE VOTERS OF BEAUFORT COUNTY A SIMILAR RIGHT TO PETITION FOR CHANGES TO THE STRUCTURE OF THE BOARD OF COUNTY COMMISSIONERS AND BOARD OF EDUCATION THAT THE GENERAL LAW PROVIDES FOR CITY RESIDENTS AS TO THEIR CITY COUNCIL.

CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

S.B. 500, AN ACT TO ESTABLISH THE MOUNTAIN ISLAND LAKE MARINE COMMISSION AND TO MODIFY THE PROVISIONS FOR NO-WAKE ZONES ON LAKE NORMAN. (S.L. 1997-257)

H.B. 430, AN ACT TO EXEMPT THE NORTH CAROLINA ZOOLOGICAL PARK FROM THE UMSTEAD ACT, WHICH PROHIBITS STATE GOVERNMENT FROM ENGAGING IN THE SALE OF GOODS IN COMPETITION WITH CITIZENS OF THE STATE, AND TO PROVIDE FOR THE ADOPTION OF RULES AUTHORIZING SPECIAL-USE PERMITS FOR THE USE OF PYROTECHNICS IN STATE PARKS. (S.L. 1997-258)

H.B. 434, AN ACT TO CONFORM NORTH CAROLINA HEALTH INSURANCE LAWS TO RECENTLY ENACTED FEDERAL LAWS CONCERNING HEALTH INSURANCE UNDERWRITING AND PORTABILITY, MATERNITY COVERAGE, AND COVERAGE FOR MENTAL ILLNESS. (S.L. 1997-259)

S.B. 924, AN ACT TO AUTHORIZE CRIMINAL RECORD CHECKS OF EMPLOYEES OF AND APPLICANTS FOR EMPLOYMENT WITH THE DEPARTMENT OF HUMAN RESOURCES. (S.L. 1997-260)

H.B. 210, AN ACT TO CHANGE THE NAME OF THE NORTH CAROLINA DEPARTMENT OF AGRICULTURE TO THE NORTH CAROLINA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES. (S.L. 1997-261)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representatives Eddins, Hill, and Watson, Co-Chairs, for the Committee on Environment:

Committee Substitute for **S.B. 178**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE SECRETARY OF CULTURAL RESOURCES TO

PROPOSE LANDS TO BE ACQUIRED WITH FUNDS FROM THE NATURAL HERITAGE TRUST FUND, TO AUTHORIZE EXPENDITURES FROM THE FUND FOR CONSERVATION AND PROTECTION PLANNING AND EDUCATIONAL PROGRAMS FOR OWNERS OF NATURE PRESERVES UNDER THE NATURE PRESERVES ACT, AND TO AUTHORIZE THE BOARD OF TRUSTEES OF THE FUND TO ENTER INTO AGREEMENTS FOR THE MANAGEMENT OF ACQUIRED LANDS WITH QUALIFIED NONPROFIT ORGANIZATIONS, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 947**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE BURDEN OF PROOF THAT MUST BE SATISFIED TO OBTAIN A CERTIFICATE AUTHORIZING AN INTERBASIN TRANSFER OF SURFACE WATERS, TO DIRECT THE ENVIRONMENTAL REVIEW COMMISSION TO STUDY ISSUES RELATING TO INTERBASIN TRANSFERS, AND TO IMPOSE A TEMPORARY MORATORIUM ON CERTAIN INTERBASIN TRANSFERS DURING THE PENDENCY OF THE STUDY, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The House committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Neely for the Committee on Judiciary II:

House Committee Substitute No. 2 for **S.B. 157**, A BILL TO BE ENTITLED AN ACT TO EXPAND THE TIME CORPORATIONS AND LIMITED LIABILITY COMPANIES MAY APPLY FOR REINSTATEMENT FROM ADMINISTRATIVE DISSOLUTION, TO AMEND THE LAW GOVERNING DISSENTERS' RIGHTS PROCEDURES AND THE FILING OF DOCUMENTS BY LIMITED LIABILITY COMPANIES, TO ALLOW FACSIMILE SIGNATURES AND ADVISORY REVIEW OF DOCUMENTS BY THE SECRETARY OF STATE, AND TO CLARIFY

CORRECTIONS PROCEDURES, LIMITED LIABILITY NAME AVAILABILITY, AND THE DEFINITION OF FOREIGN PROFESSIONAL CORPORATIONS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION AND OTHERS, AND TO AUTHORIZE THE CREATION OF SINGLE MEMBER LIMITED LIABILITY COMPANIES, TO ALLOW A PARENT CORPORATION TO BE MERGED INTO ITS SUBSIDIARY CORPORATION IN CERTAIN CIRCUMSTANCES, AND TO REMOVE THE REQUIREMENT THAT A PUBLIC CORPORATION MUST WAIT THIRTY DAYS BEFORE IT CAN FILE ITS ARTICLES OF MERGER WITH THE SECRETARY OF STATE, with a favorable report as to House Committee Substitute No. 3, which changes the title, unfavorable as to House Committee Substitute Bill No. 2.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 3 is placed on the Calendar. House Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

H.B. 566, A BILL TO BE ENTITLED AN ACT RELATING TO WAKE COUNTY, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 600, A BILL TO BE ENTITLED AN ACT RELATING TO LOCAL GOVERNMENT, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.J.R. 414**, A JOINT RESOLUTION HONORING THE ACCOMPLISHMENTS OF COACH DEAN EDWARDS SMITH AND THE MEN'S BASKETBALL PROGRAM AT THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, with a favorable report.

Pursuant to Rule 36(a), the resolution is placed on the Calendar.

S.B. 550, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 89C OF THE GENERAL STATUTES TO PROVIDE THAT THE DESIGN OF LAND APPLICATION IRRIGATION SYSTEMS FOR ANIMAL WASTE MANAGEMENT SYSTEMS MAY BE PERFORMED BY IRRIGATION DESIGN TECHNICAL SPECIALISTS AND CONCERNING AGRICULTURAL BEST MANAGEMENT PRACTICES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Allred for the Committee on Ways and Means:

H.B. 859, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE BRUNSWICK COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX AND TO AUTHORIZE CERTAIN MUNICIPALITIES IN BRUNSWICK COUNTY TO LEVY OR INCREASE ROOM OCCUPANCY TAXES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 860, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF CAROLINA SHORES FROM AN AREA PREVIOUSLY ANNEXED INTO THE TOWN OF CALABASH, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Hill for the Permanent Subcommittee on Local, Regional, and State Revenues, of the Standing Committee on Finance, with approval of standing committee co-chairs, for report to be made directly to the floor of the House:

Committee Substitute for **H.B. 777,** A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF KINGS MOUNTAIN TO ANNEX

CERTAIN NONCONTIGUOUS PROPERTY, PROHIBITING THE CITY FROM RESTRICTING RECREATIONAL USES OF MOSS LAKE, AND REQUIRING THE CITY TO CREATE AN AUTHORITY TO ADDRESS ISSUES RELATED TO MOSS LAKE, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar of July 7. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representative McComas for the Permanent Subcommittee on Public Utilities:

H.B. 1126, A BILL TO BE ENTITLED AN ACT TO EXEMPT LOCAL PAY PHONE SERVICES FROM SALES TAX, reported to the Standing Committee on Commerce with a favorable recommendation and recommend that the bill be re-referred to the Committee on Finance.

SUBCOMMITTEE REFERRALS

Representative Holmes, Senior Ranking Member and Co-Chair, for the Standing Committee on Appropriations, refers **H.B. 1081**, A BILL TO BE ENTITLED AN ACT TO AMEND LAWS GOVERNING CONDEMNATION TO AUTHORIZE AWARD OF ATTORNEYS' FEES, to the Permanent Subcommittee on Transportation.

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber

July 2, 1997

Mr. Speaker:

On **S.B. 764** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE WORKERS' COMPENSATION ACT REGARDING EMPLOYER ACCESS TO MEDICAL INFORMATION, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees to the end that

when a similar action has been taken on the part of your Honorable Body, the President will order the bill enrolled.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
July 2, 1997

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the President Pro Tempore appoints Senator McDaniel as an additional conferee on **S.B. 993** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COMMISSIONER OF INSURANCE TO ADOPT RULES TO PROTECT THE RIGHTS OF SUBSCRIBERS AND CERTIFICATE HOLDERS IN THE RESERVES AND CAPITAL OF HOSPITAL, MEDICAL, AND DENTAL SERVICE CORPORATIONS UPON CONVERSION, which proposes to change the title, upon concurrence, to read **S.B. 993** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH PROCEDURES FOR CONVERSIONS BY HOSPITAL, MEDICAL, AND DENTAL SERVICE CORPORATIONS.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
July 2, 1997

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives that your request for the return of **H.B. 84**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THREE OF THE MEMBERS ELECTED TO THE PINEHURST VILLAGE COUNCIL IN 1995 SHALL SERVE FOUR-YEAR TERMS, for further consideration by the House, is acknowledged and we herewith comply.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

The bill is before the Body.

Having voted with the prevailing side, Representative Morgan moves that the vote by which the bill passed its third reading be reconsidered. The motion carries by electronic vote (97-1).

Representative Ellis states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (98-1).

On motion of Representative Morgan, the bill is postponed indefinitely by electronic vote (107-0).

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 708**, A BILL TO BE ENTITLED AN ACT REGARDING REQUIREMENTS FOR SPRINKLER SYSTEMS IN FRATERNITY AND SORORITY HOUSES WITHIN THE CITY OF CHARLOTTE AND WITHIN THE CITY'S EXTRATERRITORIAL PLANNING JURISDICTION, is returned for concurrence in Senate committee substitute and referred to the Committee on Local and Regional Government II.

Upon concurrence, the Senate committee substitute changes the title.

Senate Committee Substitute for **H.B. 1032**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE COMMISSION FOR HEALTH SERVICES TO ADOPT A RULE TO AUTHORIZE THE USE OF DESIGN CRITERIA FOR MUNICIPAL SOLID WASTE LANDFILLS THAT COMPLIES WITH FEDERAL LAW AND THAT PROVIDES FOR AN

ALTERNATE LANDFILL LINER THAT IS AT LEAST AS PROTECTIVE AS THE CURRENTLY AUTHORIZED LANDFILL LINER, is returned for concurrence in Senate committee substitute and referred to the Committee on Environment.

Upon concurrence, the Senate committee substitute changes the title.

CONFERENCE REPORT

Representative Mitchell moves the adoption of the following Conference Report.

Committee Substitute for S.B. 764

To: The President of the Senate

The Speaker of the House of Representatives

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 764, A BILL TO BE ENTITLED AN ACT TO AMEND THE WORKERS' COMPENSATION ACT REGARDING EMPLOYER ACCESS TO MEDICAL INFORMATION, Judiciary Committee Substitute Adopted 4/29/97, submit the following report:

The House recedes from House Amendment #1.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 1, 1997.

Conferees for the Senate

S/ John H. Kerr

S/ David Hoyle

S/ Patrick J. Ballantine

Conferees for the House of Representatives

S/ W. Frank Mitchell

S/ N. Leo Daughtry

S/ Dewey L. Hill

The Conference Report is adopted, by electronic vote (103-4), and the Senate is so notified by Special Message.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 533**, A BILL TO BE ENTITLED AN ACT TO ADD "DIVISIBLE PROPERTY" AS A CATEGORY OF PROPERTY SUBJECT TO EQUITABLE DISTRIBUTION, TO CREATE A REBUTTABLE PRESUMPTION THAT AN IN KIND DISTRIBUTION OF PROPERTY IS EQUITABLE, TO ENCOURAGE INTERIM DISTRIBUTION OF PROPERTY OR DEBT, AND TO ALLOW CERTAIN EVIDENCE OF THE VALUE OF MARITAL PROPERTY, AS RECOMMENDED BY THE FAMILY LAW SECTION OF THE NORTH CAROLINA BAR ASSOCIATION.

On motion of Representative Hackney, the House concurs in the Senate committee substitute, by electronic vote (110-1), and the bill is ordered enrolled and presented to the Governor.

Committee Substitute for **H.B. 524**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE CAP ON THE AMOUNT OF DRIVERS LICENSE RESTORATION FEES THAT ARE DEPOSITED IN A FUND FOR ALCOHOL STUDIES ENDOWMENT AT THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Aldridge, Alexander, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Brawley, Brown, Buchanan, Cansler, Capps, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hensley, Hiatt, Hill, Holmes, Howard, H. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 109.

Voting in the negative: Representative Allred.

Excused absences: Representatives Braswell, Carpenter, Easterling, Hardy, Hightower, McMahan, Nesbitt, and Smith - 8.

Representative Redwine states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (110-1).

House Committee Substitute No. 2 for **S.B. 297**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS GOVERNING CHARTER SCHOOLS.

Representative Baddour offers Amendment No. 6 which is adopted by electronic vote (90-20).

Representative Fox offers Amendment No. 7 which is adopted by electronic vote (102-2).

Representative Boyd-McIntyre offers Amendment No. 8.

On motion of the Chair, the amendment is temporarily displaced.

Representative Insko offers Amendment No. 9 which fails of adoption by electronic vote (41-69).

Amendment No. 8, which was temporarily displaced, is before the Body. The amendment fails of adoption by electronic vote (41-67).

Representative Moore offers Amendment No. 10.

Representative Decker inquires of the Chair if the amendment can be divided. The Chair rules that it can be divided pursuant to Rule 24.1B.

Amendment No. 10A fails of adoption by electronic vote (32-74).

Amendment No. 10B fails of adoption by electronic vote (35-73).

Representative Ellis offers Amendment No. 11 which fails of adoption by electronic vote (51-56).

Representative Daughtry calls the previous question on the passage of the bill and the call is sustained by electronic vote (60-45).

The bill, as amended, passes its third reading, by electronic vote (68-40), and is ordered engrossed and sent to the Senate for concurrence in House Committee Substitute Bill No. 2.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representative Neely for the Committee on Judiciary II:

S.B. 264, A BILL TO BE ENTITLED AN ACT TO PROVIDE LIMITED LIABILITY TO EMPLOYERS WHO DISCLOSE INFORMATION ABOUT AN EMPLOYEE WHEN THE EMPLOYER IS PROVIDING A REFERENCE, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

ENROLLED BILLS

The following bills are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 262, AN ACT TO AUTHORIZE THE TOWN OF HUNTERSVILLE TO ENTER INTO AN AGREEMENT FOR PAYMENTS IN LIEU OF ANNEXATION.

S.B. 390, AN ACT TO ANNEX CERTAIN TERRITORIES TO THE TOWN OF HUNTERSVILLE, MECKLENBURG COUNTY.

RE-REFERRAL

On motion of Representative Howard and without objection, **S.B. 168,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE EXAMINATION AND CERTIFICATION FEES COLLECTED UNDER THE NURSING PRACTICE ACT, is withdrawn from the Committee on Human Resources and re-referred to the Committee on Finance.

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
July 3, 1997

Mr. Speaker:

Pursuant to your message received Wednesday, June 25, 1997, that the House of Representatives fails to concur in the Senate Committee Substitute bill to **H.B. 227**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT RECORDATION OF AN INACTIVE HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITE IS NOT REQUIRED IN CERTAIN CASES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, which proposes to change the title, upon concurrence, to read **H.B. 227** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT RECORDATION OF AN INACTIVE HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITE IS NOT REQUIRED IN CERTAIN CASES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION AND TO EXPEDITE THE PERMANENT CLOSURE OF LOW-RISK SITES UNDER THE LEAKING PETROLEUM UNDERGROUND STORAGE TANK CLEANUP ACT OF 1988, and requests conferees, the President Pro Tempore appoints:

Senator Horton, Chairman

Senator Odom

Senator Cooper

on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,

S/ Janet B. Pruitt

Principal Clerk

On motion of Representative Morgan, seconded by Representative Mercer, the House adjourns at 12:02 p.m. to reconvene Monday, July 7, 1997, at 6:00 p.m.

NINETY-FIRST DAY

HOUSE OF REPRESENTATIVES

Monday, July 7, 1997

The House meets at 6:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain.

"Almighty God, You rule all the peoples of the earth.

"Inspire the minds of all women and men to whom You have committed the responsibility of government and leadership in the nations of the world and especially the State of North Carolina.

"Give to them the vision of truth and justice, that by their counsel all people may work together.

"Give to the people of our State zeal for justice and strength of forbearance, that we may use our liberty in accordance with Your gracious will.

"Forgive our shortcomings as a nation and as a State; purify our hearts to see and love the truth. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 3 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (84-0).

Leaves of absence are granted Representatives Berry, Goodwin, McCrary, Nesbitt, Preston, Sherrill, and C. Wilson for today. Representatives Carpenter and R. Hunter are excused for a portion of the session.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

S.B. 784, AN ACT TO PROVIDE TAX RELIEF AND SIMPLIFICATION BY CONFORMING STATE TAX LAW TO THE FEDERAL RULE THAT GRANTS A FILING EXTENSION EVEN IF THE REQUEST IS NOT ACCOMPANIED BY PAYMENT.

H.B. 533, AN ACT TO ADD "DIVISIBLE PROPERTY" AS A CATEGORY OF PROPERTY SUBJECT TO EQUITABLE DISTRIBUTION, TO CREATE A REBUTTABLE PRESUMPTION THAT AN IN KIND DISTRIBUTION OF PROPERTY IS EQUITABLE, TO ENCOURAGE

INTERIM DISTRIBUTION OF PROPERTY OR DEBT, AND TO ALLOW CERTAIN EVIDENCE OF THE VALUE OF MARITAL PROPERTY, AS RECOMMENDED BY THE FAMILY LAW SECTION OF THE NORTH CAROLINA BAR ASSOCIATION.

ENROLLED BILL

The following bill is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 71, AN ACT TO ENABLE THE COUNTY OF HALIFAX AND THE CITY OF ROANOKE RAPIDS TO ESTABLISH AN AIRPORT AUTHORITY FOR THE MAINTENANCE OF AIRPORT FACILITIES IN THE COUNTY.

CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

S.B. 579, AN ACT TO AMEND THE CHARTER OF THE CITY OF LENOIR TO ALLOW SALARY INCREASES FOR THE CITY COUNCIL AND THE MAYOR AND TO ALLOW THE MAYOR TO BE ELECTED FOR A TERM OF FOUR YEARS. (S.L. 1997-262)

S.B. 535, AN ACT REQUIRING THE CONSENT OF CERTAIN COUNTIES BEFORE LAND IN THOSE COUNTIES MAY BE CONDEMNED OR ACQUIRED BY A UNIT OF LOCAL GOVERNMENT OUTSIDE THE COUNTY. (S.L. 1997-263)

S.B. 637, AN ACT TO ALLOW THE DIRECTOR OF TRANSPORTATION OF THE CITY OF CHARLOTTE TO SET CERTAIN SPEED LIMITS. (S.L. 1997-264)

H.B. 892, AN ACT SUBJECT TO A REFERENDUM TO GIVE THE VOTERS OF BEAUFORT COUNTY A SIMILAR RIGHT TO PETITION FOR CHANGES TO THE STRUCTURE OF THE BOARD OF COUNTY COMMISSIONERS AND BOARD OF EDUCATION THAT THE GENERAL LAW PROVIDES FOR CITY RESIDENTS AS TO THEIR CITY COUNCIL. (S.L. 1997-265)

S.B. 262, AN ACT TO AUTHORIZE THE TOWN OF HUNTERSVILLE TO ENTER INTO AN AGREEMENT FOR PAYMENTS IN LIEU OF ANNEXATION. (S.L. 1997-266)

S.B. 390, AN ACT TO ANNEX CERTAIN TERRITORIES TO THE TOWN OF HUNTERSVILLE, MECKLENBURG COUNTY. (S.L. 1997-267)

H.B. 221, AN ACT TO AUTHORIZE A MAGISTRATE OR OTHER AUTHORIZED JUDICIAL OFFICIAL IN A NONCAPITAL CASE TO CONDUCT AN INITIAL APPEARANCE BY A TWO-WAY AUDIO AND VIDEO PROCEEDING AND TO ALLOW SWORN LAW ENFORCEMENT OFFICERS TO APPEAR BEFORE JUDICIAL OFFICIALS BY A TWO-WAY AUDIO AND VIDEO TO OBTAIN ARREST WARRANTS. (S.L. 1997-268)

H.B. 1099, AN ACT TO AUTHORIZE SCHOOL PRINCIPALS TO ADMIT CERTAIN GIFTED STUDENTS TO KINDERGARTEN REGARDLESS OF THEIR BIRTH DATES. (S.L. 1997-269)

H.B. 529, AN ACT TO PROVIDE THAT DEFERRED TAXES DUE ON CERTAIN PROPERTY THAT IS TAXED AT ITS PRESENT-USE VALUE WILL BE PAID BY THE PERSON TO WHOM THE LAND IS TRANSFERRED IF THE PROPERTY IS TRANSFERRED BECAUSE OF CONDEMNATION. (S.L. 1997-270)

S.B. 958, AN ACT TO ALLOW STUDENTS WHO RESIDE WITH DOMICILIARIES OF A LOCAL SCHOOL ADMINISTRATIVE UNIT TO ATTEND THE PUBLIC SCHOOLS OF THAT UNIT WITHOUT THE PAYMENT OF TUITION. (S.L. 1997-271)

S.B. 508, AN ACT TO PROVIDE THAT A TURKEY GROWER SHALL NOT BE DISQUALIFIED FROM USE VALUE TAXATION FOR A TWO-YEAR PERIOD IF THE GROWER'S LAND IS TAKEN OUT OF PRODUCTION SOLELY BECAUSE OF THE PRESENCE OF TURKEY DISEASE IN THE AREA. (S.L. 1997-272)

S.B. 457, AN ACT TO REQUIRE THE COMPREHENSIVE SCHOOL HEALTH EDUCATION PROGRAM TO PROVIDE INSTRUCTION ON THE PERFORMANCE OF CARDIOPULMONARY RESUSCITATION AND THE HEIMLICH MANEUVER. (S.L. 1997-273)

H.B. 433, AN ACT TO EXEMPT A SWORN LAW ENFORCEMENT OFFICER OR A RETIRED SWORN LAW ENFORCEMENT OFFICER FROM THE TRAINING REQUIRED TO QUALIFY FOR A CONCEALED HANDGUN PERMIT IF THE OFFICER APPLIES FOR A PERMIT WITHIN TWO YEARS OF RETIREMENT. (S.L. 1997-274)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Dockham for the Committee on Insurance:

Committee Substitute for **S.B. 254**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT DISCRIMINATION IN HEALTH INSURANCE AND EMPLOYMENT BASED ON GENETIC INFORMATION, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 455**, A BILL TO BE ENTITLED AN ACT TO IMPROVE HMO SERVICES BY PROTECTING PHYSICIAN COMMUNICATIONS REGARDING TREATMENT, REQUIRING COVERAGE FOR EMERGENCY CARE, AND REDUCING THE APPROVAL PERIOD FOR RATE FILINGS, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representatives Buchanan and Sexton, Co-Chairs, for the Committee on Transportation:

Committee Substitute No. 2 for **S.B. 426**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SPECIAL REGISTRATION LICENSE PLATES ON CERTAIN COMMERCIAL MOTOR VEHICLES AND TO PROVIDE SPECIAL REGISTRATION LICENSE PLATES FOR MAGISTRATES, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate Committee Substitute Bill No. 2, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

The House committee substitute bill is re-referred to the Committee on Finance. Senate Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

By Representatives Gray, Brawley, and Dickson, Co-Chairs, for the Committee on Finance:

Committee Substitute for **H.B. 225**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR CLEANUP OF DRY-CLEANING SOLVENT CONTAMINATION, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar of July 8. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H.B. 1187, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN COUNTY AND CITY PURCHASES FROM STATE AND LOCAL SALES TAX, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

SUBCOMMITTEE REFERRALS

Representatives Gray, Brawley, and Dickson, Co-Chairs, for the Standing Committee on Finance, refer the following bills to the Permanent Subcommittee on Local, Regional, and State Revenues.

H.B. 568, A BILL TO BE ENTITLED AN ACT TO ANNEX A CERTAIN DESCRIBED TERRITORY TO THE TOWN OF WAKE FOREST; and

H.B. 859, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE BRUNSWICK COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, TO AUTHORIZE CERTAIN MUNICIPALITIES IN BRUNSWICK COUNTY TO LEVY OR INCREASE ROOM OCCUPANCY TAXES, TO AUTHORIZE THE CITY OF LUMBERTON TO LEVY AN ADDITIONAL, TEMPORARY ROOM OCCUPANCY TAX, TO MODIFY THE PURPOSES FOR WHICH THE LUMBERTON ROOM OCCUPANCY TAX CAN BE USED, AND TO AUTHORIZE PERSON COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H.B. 545, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF WILLIAMSTON TO EXERCISE EXTRATERRITORIAL JURISDICTION OVER AN AREA EXTENDING TWO MILES FROM ITS LIMITS, is returned for concurrence in Senate amendment and placed on the Calendar of July 8.

The Senate amendment is ruled to be material, thus constituting its first reading.

Upon concurrence, the Senate amendment changes the title.

H.B. 867, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT THE GENERAL LAW APPLIES TO ANNEXATION OF CERTAIN PARCELS OF LAND BY THE TOWN OF MATTHEWS AND TO EXEMPT THOSE PARCELS FROM PRIOR LOCAL ACTS CONCERNING ZONING JURISDICTION, is returned for concurrence in Senate amendment and placed on the Calendar of July 8.

The Senate amendment is ruled to be material, thus constituting its first reading.

Upon concurrence, the Senate amendment changes the title.

Committee Substitute for **S.B. 360**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEE PAID TO AGENTS OF THE WILDLIFE RESOURCES COMMISSION TO AWARD CERTIFICATES OF BOAT NUMBER OR OTHER VESSEL TRANSACTION AND TO AMEND THE DUTIES OF THE WILDLIFE RESOURCES COMMISSION WITH REGARD TO THE APPOINTMENT OF AGENTS FOR THE ISSUANCE OF BOAT NUMBERS, TO RAISE THE REPORTING REQUIREMENT FOR BOATING ACCIDENTS TO DAMAGES IN EXCESS OF FIVE HUNDRED DOLLARS, AND TO REPEAL THE LAW REQUIRING PERMITS FROM THE WILDLIFE RESOURCES COMMISSION TO HOLD REGATTAS AND OTHER EVENTS, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

INTRODUCTION OF PAGES

Pages for the week of July 7 are introduced to the membership. They are: Jackson Lowell Cozort of Wake; Constance Christy Dale of Sampson; Jennifer Nicole Davis of Union; Walter Frank Duch, III, of New Hanover;

Travis Anthony Emory of Durham; Natalie Claire Evans of Dare; Fonta Jamee Gilliam of Yadkin; Michael W. Grubb, II, of Pitt; Adam Logan Hurley of Wake; Emilia V. Johnson of Wake; Joshua Lee Kumm of Nash; Shannon MaRay Leake of Robeson; Randall Leon Marion, II, of Mecklenburg; Meredith Anne Miffleton of Mecklenburg; Amanda Kathryn Nichols of Craven; Anna Valentine Short of Halifax; Jesse E. Short of Forsyth; Jennifer Marie Snow of Wake; Ryan Jon Strickland of Cumberland; Martin Sullivan of Wake; Mary Kathryn Swope of Pitt; Carlin Marie Williford of Cumberland; Lindsay Ray Williford of Cumberland; Rebecca Dial Wolf of Wake; Joshua Wood of Guilford; and Katherine Elizabeth Yarborough of Cumberland.

GUESTS

Representative Morgan requests unanimous consent of the House in order that the 1997 North Carolina Teacher of the Year may address the Body.

The Speaker directs Representatives Tallent, Moore, and Barbee to escort Mr. Julian L. "Monty" Coggins, Jr., of Mt. Pleasant High School in Cabarrus County, to the Well of the House, where he makes brief remarks.

CALENDAR

Action is taken on the following:

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 930**, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE MUTUAL BURIAL ASSOCIATION COMMISSION AND TO TRANSFER ITS DUTIES TO THE BOARD OF MORTUARY SCIENCE, passes its second reading, by electronic vote (102-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 330**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING SAFE-DEPOSIT BOXES.

Representative Morgan offers Amendment No. 1 which is adopted by electronic vote (103-0).

The bill, as amended, passes its second reading, by electronic vote (102-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute No. 2 for **H.B. 777**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF KINGS MOUNTAIN TO ANNEX CERTAIN NONCONTIGUOUS PROPERTY, PROHIBITING THE CITY FROM RESTRICTING RECREATIONAL USES OF MOSS LAKE, AND REQUIRING THE CITY TO CREATE AN AUTHORITY TO ADDRESS ISSUES RELATED TO MOSS LAKE.

On motion of Representative Weatherly, consideration of the bill is postponed until July 10 by electronic vote (66-41).

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan, pursuant to Rule 38 and without objection, House Committee Substitute for **S.B. 884**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE DEPARTMENT OF TRANSPORTATION TO ESTABLISH A STATE INFRASTRUCTURE BANK, is withdrawn from the Calendar and re-referred to the Committee on Finance.

RE-REFERRAL

On motion of Representative Morgan, Senate Committee Substitute for **H.B. 739**, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN AND CLARIFY THE DEALERS AND MANUFACTURERS LICENSING LAW, is withdrawn from the Committee on Commerce and re-referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 667**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CRIMINAL OFFENSE OF STALKING, passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 141**, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN GOVERNMENTAL ENTITIES FROM STATE PURCHASE AND CONTRACT REQUIREMENTS.

On motion of Representative Weatherly and without objection, consideration of the bill is postponed until July 9.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 714**, A BILL TO BE ENTITLED AN ACT TO REQUIRE HEALTH AND ACCIDENT INSURANCE POLICIES, HOSPITAL OR MEDICAL SERVICE PLANS, HMO PLANS, AND THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN TO PROVIDE COVERAGE FOR RECONSTRUCTIVE BREAST SURGERY RESULTING FROM MASTECTOMY, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

RE-REFERRAL

On motion of Representative Miner and without objection, **H.B. 1126**, A BILL TO BE ENTITLED AN ACT TO EXEMPT LOCAL PAY PHONE SERVICES FROM SALES TAX, is withdrawn from the Committee on Commerce and re-referred to the Committee on Finance.

On motion of Representative Morgan, seconded by Representative Luebke, the House adjourns at 6:54 p.m. to reconvene July 8 at 10:00 a.m.

NINETY-SECOND DAY

HOUSE OF REPRESENTATIVES
Tuesday, July 8, 1997

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain.

"Almighty God, new every morning is Your love for us and all day long You are working for good in the world. You work in us and through us and in spite of us. There are still some rivers we must cross before we can get to the other side of the valley. There are still compromises we must make before we can come to the end of the journey. Our eyes need to see You standing in our presence. Our ears need to hear You speaking to us. Our hearts need to be broken by You in order to see Your truth.

"Grant us these gifts in the name of the One who was and is and is to come. Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 7 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (106-1).

Leaves of absence are granted Representatives Berry, McCombs Sherrill, and C. Wilson for today. Representative Wood is excused for a portion of the session.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

S.B. 249, AN ACT TO CLARIFY WHAT FUNDS MAY BE USED TO REPAY SPECIAL OBLIGATION BONDS AND TO MAKE OTHER CHANGES IN THE LAWS CONCERNING THESE BONDS.

S.B. 764, AN ACT TO AMEND THE WORKERS' COMPENSATION ACT REGARDING EMPLOYER ACCESS TO MEDICAL INFORMATION.

S.B. 875, AN ACT TO IMPROVE THE PROCEDURES FOR RECORDING MAPS AND PLATS, TO REVISE THE LAW GOVERNING THE DISPOSITION OF CERTAIN BIRTH AND DEATH CERTIFICATES, AND TO ESTABLISH A STUDY OF LAND TITLE REGISTRATION PROCEDURES.

CHAPTERED BILL

The following resolution is properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

H.J.R. 1153, A JOINT RESOLUTION COMMEMORATING THE ONE HUNDRED FIFTIETH ANNIVERSARY OF THE TOWN OF FRANKLINVILLE AND HONORING THE MEMORY OF JESSE FRANKLIN. (RESOLUTION 20)

SUBCOMMITTEE REFERRAL

Representatives Gray, Brawley, and Dickson, Co-Chairs, for the Standing Committee on Finance, refer **H.B. 631**, A BILL TO BE ENTITLED AN ACT RELATING TO FORSYTH COUNTY, to the Permanent Subcommittee on Local, Regional, and State Revenues.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for **H.B. 437**, A BILL TO BE ENTITLED AN ACT CHANGING THE METHOD FOR APPOINTMENT OF MEMBERS OF THE PILOT MOUNTAIN CIVIC AND RECREATION CENTER AUTHORITY, is returned for concurrence in Senate amendment and referred to the Committee on Rules, Calendar, and Operations of the House.

Upon concurrence, the Senate amendment changes the title.

Senate Committee Substitute for **H.B. 681**, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF ROXBORO, is returned for concurrence in Senate committee substitute and placed on the Calendar of July 9.

Senate Committee Substitute for **H.B. 832**, A BILL TO BE ENTITLED AN ACT TO REQUIRE PAYMENT OF DELINQUENT TAXES FOR THE TOWN OF NEWLAND IN AVERY COUNTY AND THE TOWN OF SPRUCE PINE IN MITCHELL COUNTY BEFORE RECORDING DEEDS CONVEYING PROPERTY SUBJECT TO THE DELINQUENT TAXES, is returned for concurrence in Senate committee substitute and referred to the Committee on Rules, Calendar, and Operations of the House. The Senate committee substitute is ruled to be material, thus constituting its first reading.

Upon concurrence, the Senate committee substitute changes the title.

S.B. 534, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF PLEASANT GARDEN, is read the first time and referred to the Committee on Local and Regional Government II.

CALENDAR

Action is taken on the following:

Pursuant to Rule 36(a), the following resolution appears on today's Calendar.

On motion of Representative Morgan and without objection, **H.J.R. 1237**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF MAZIE SPENCER WOODRUFF, A DEVOTED PUBLIC SERVANT AND COMMUNITY ACTIVIST, is moved up on today's Calendar.

The resolution passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 545, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF WILLIAMSTON TO EXERCISE EXTRATERRITORIAL JURISDICTION OVER AN AREA EXTENDING TWO MILES FROM ITS LIMITS.

On motion of Representative Rogers, the House concurs in the material Senate amendment on its second roll call reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brown, Buchanan, Cansler, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtry, Decker, Dedmon, Dickson, Dockham, Earle, Eddins, Ellis, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Insko, Ives, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols,

Nye, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, G. Wilson, Womble, Wright, and Yongue - 105.

Voting in the negative: Representatives Capps and Davis - 2.

Excused absences: Representatives Berry, McCombs, Sherrill, and C. Wilson - 4.

H.B. 867, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT THE GENERAL LAW APPLIES TO ANNEXATION OF CERTAIN PARCELS OF LAND BY THE TOWN OF MATTHEWS AND TO EXEMPT THOSE PARCELS FROM PRIOR LOCAL ACTS CONCERNING ZONING JURISDICTION.

On motion of Representative Gulley, the House concurs in the material Senate amendment on its second roll call reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Eddins, Ellis, Esposito, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, G. Wilson, Womble, Wood, Wright, and Yongue - 110.

Voting in the negative: Representative Fitch.

Excused absences: Representatives Berry, McCombs, Sherrill, and C. Wilson - 4.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 1231**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SUPPLEMENTAL SOURCES OF REVENUE FOR LOCAL GOVERNMENT TRANSIT FINANCING.

Representative R. Hunter moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Finance.

Representative R. Hunter calls the previous question on the motion and the call is sustained by electronic vote (80-31).

The motion carries, by electronic vote (74-38), and the bill is re-referred to the Committee on Finance.

Committee Substitute No. 2 for **H.B. 225**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR CLEANUP OF DRY-CLEANING SOLVENT CONTAMINATION IN NORTH CAROLINA, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Crawford, Culp, Culpepper, Cunningham, Daughtry, Davis, Dedmon, Dickson, Dockham, Earle, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hightower, Hill, Howard, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McMahan, Mercer, Michaux, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Owens, Preston, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, G. Wilson, Womble, Wood, Wright, and Yongue - 103.

Voting in the negative: Representatives Creech, Decker, Hiatt, and Holmes - 4.

Excused absences: Representatives Berry, McCombs Sherrill, and C. Wilson - 4.

House Committee Substitute No. 2 for **S.B. 625**, A BILL TO BE ENTITLED AN ACT TO MAKE SPEEDING IN EXCESS OF THE

POSTED SPEED ON SCHOOL GROUNDS AN INFRACTION AND TO INCREASE THE PENALTY FOR SPEEDING IN A SCHOOL ZONE.

Representative Hensley offers Amendment No. 1 which is adopted by electronic vote (97-7).

The bill, as amended, passes its third reading, by electronic vote (109-0), and is ordered engrossed and sent to the Senate for concurrence in House Committee Substitute Bill No. 2.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 263**, A BILL TO BE ENTITLED AN ACT TO AMEND THE WORKERS' COMPENSATION ACT SO THAT NONRESIDENT ALIENS RECEIVE COMPENSATION EQUAL TO THAT RECEIVED BY OTHER WORKERS UNDER THE ACT, passes its second reading, by electronic vote (90-11), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

House Committee Substitute for **S.B. 320**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE ESTABLISHMENT OF PROGRAMS TO TRAIN LICENSED REGISTERED NURSES TO CONDUCT MEDICAL EXAMINATIONS OF VICTIMS OF SEXUAL OFFENSES, TO CONDUCT MEDICAL PROCEDURES TO COLLECT EVIDENCE FROM THE VICTIMS, AND TO ALLOW DIRECT PAYMENT TO NURSES WHO PROVIDE THIS SERVICE.

On motion of Representative Hardy and without objection, consideration of the bill is postponed until July 15 by electronic vote (80-28).

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 894**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT DEALERS HAVE TEN WORKING DAYS TO SEND MOTOR VEHICLE FEES TO THE STATE, passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

Committee Substitute for **S.B. 182**, A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN PERMANENT RULES ADOPTED BY THE WILDLIFE RESOURCES COMMISSION TO BECOME EFFECTIVE UPON APPROVAL BY THE RULES REVIEW COMMISSION.

On motion of Representative Hightower and without objection, the bill is withdrawn from the Calendar and re-referred to the Committee on State Government.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 96**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE SECRETARY OF REVENUE TO MAKE REFUNDS OF THE INTANGIBLES TAX TO TAXPAYERS WHO PRESERVED THEIR RIGHT TO A REFUND BY PROTESTING PAYMENT WITHIN THE TIME LIMITS SET BY G.S. 105-267.

Representative Allred offers Amendment No. 1.

Representative Dickson inquires of the Chair if the amendment is germane to the title of the bill. The Speaker rules that the amendment would change the title of the bill.

Pursuant to the point of order raised, Representative Allred moves that Rule 31(d) be suspended in order that he might amend the caption of the bill.

Representative Allred calls the previous question on the motion and the call is sustained by electronic vote (75-35).

The motion to suspend the rules fails by electronic vote (51-60).

The bill passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representatives Hardy and Daughtry, Co-Chairs, for the Committee on Judiciary I:

House Committee Substitute for **S.B. 561**, A BILL TO BE ENTITLED AN ACT TO REMEDY THE INADVERTENT EXCLUSION OF DULY SWORN AND COMMISSIONED COMPANY POLICE OFFICERS FROM THE CONCEALED HANDGUN STATUTES, with a favorable report as to House Committee Substitute Bill No. 2, which changes the title, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 2 is placed on the Calendar. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
July 8, 1997

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives respectfully requesting the return of **S.B. 548**, A BILL TO BE ENTITLED AN ACT REQUIRING THE PAYMENT OF DELINQUENT TAXES IN STOKES COUNTY BEFORE RECORDING DEEDS CONVEYING PROPERTY SUBJECT TO DELINQUENT TAXES, for further consideration by the Senate.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

On motion of Representative Morgan and without objection, the bill is withdrawn from the Committee on Finance, Subcommittee on Local, Regional, and State Revenues and returned to the Senate by Special Message.

On motion of Representative Morgan, seconded by Representative Womble, the House adjourns at 1:02 p.m. to reconvene July 9 at 10:00 a.m.

NINETY-THIRD DAY**HOUSE OF REPRESENTATIVES**

Wednesday, July 9, 1997

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain.

"God of heaven and earth, You are the sovereign ruler over all of Your creation. And, it is only by Your grace that we can hope to exist in an ordered and disciplined society. Through Your providence alone, these people here have been set apart for leadership over Your people. What we need...and what we ask from You...is that You would teach us to better understand that strong and effective leadership comes not from windows of opportunity for self-promotion and self-aggrandizement. But, rather strong and effective leadership...true leadership...comes from servanthood that denies self and is rooted in the discernment of the needs and concerns of others. This is not an easy task! It is an awesome responsibility, and we pray that not one of us should ever dare to take it lightly. When we do...strike us down! But, when we seek to serve faithfully...let us strive for communion and harmony so that discord cannot be found among us and that an even hand of justice can be applied to all people. This prayer we humbly ask on behalf of all God's people. Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 8 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (94-2).

Leaves of absence are granted Representatives Berry, Braswell, McCrary, Rogers, and Sherrill for today. Representatives Easterling and Warwick are excused for a portion of the session.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

S.B. 132, AN ACT TO AUTHORIZE CLERKS TO ALLOCATE SPOUSE'S AND CHILDREN'S YEAR'S ALLOWANCE FROM A DECEDENT'S ESTATE.

S.B. 263, AN ACT TO AMEND THE WORKERS' COMPENSATION ACT SO THAT NONRESIDENT ALIENS RECEIVE COMPENSATION EQUAL TO THAT RECEIVED BY OTHER WORKERS UNDER THE ACT.

CHAPTERED BILLS

The following bills and resolution are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

H.B. 71, AN ACT TO ENABLE THE COUNTY OF HALIFAX AND THE CITY OF ROANOKE RAPIDS TO ESTABLISH AN AIRPORT AUTHORITY FOR THE MAINTENANCE OF AIRPORT FACILITIES IN THE COUNTY. (S.L. 1997-275)

S.B. 537, AN ACT TO AUTHORIZE THE ADDITION TO THE STATE PARKS SYSTEM OF CERTAIN LANDS LOCATED IN TRANSYLVANIA COUNTY ADJACENT TO JOCASSEE LAKE. (S.L. 1997-276)

H.J.R. 1237, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF MAZIE SPENCER WOODRUFF, A DEVOTED PUBLIC SERVANT AND COMMUNITY ACTIVIST. (RESOLUTION 21)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Neely for the Committee on Judiciary II:

S.B. 992, A BILL TO BE ENTITLED AN ACT AMENDING THE LAWS RELATED TO THE NORTH CAROLINA BOXING COMMISSION, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

The House committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representatives Gray, Brawley, and Dickson, Co-Chairs, for the Committee on Finance:

H.B. 577, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE REGISTRATION REQUIREMENT FOR FORESTERS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 1126, A BILL TO BE ENTITLED AN ACT TO EXEMPT LOCAL PAY PHONE SERVICES FROM SALES TAX, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Miner, Tallent, Hiatt, and Church, Co-Chairs, for the Committee on Commerce:

H.B. 1125, A BILL TO BE ENTITLED AN ACT TO REVISE THE CLASSIFICATION OF LENDERS WHO MAY CONTRACT FOR THE PAYMENT OF CHARGES IN CERTAIN CIRCUMSTANCES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

S.B. 23, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT EVERY DWELLING UNIT LEASED AS RENTAL PROPERTY IN CERTAIN CITIES BE FURNISHED WITH A SOURCE OF HEAT, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 208, A BILL TO BE ENTITLED AN ACT PERTAINING TO THE SANITIZATION OF COOKING UTENSILS PROVIDED BY LODGING ESTABLISHMENTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE**, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **S.B. 253**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE REGISTRATION OF TELEPHONIC SELLERS IN NORTH CAROLINA, AND TO MAKE THE OFFERING OF TELEPHONE SALES RECOVERY SERVICES A CRIMINAL OFFENSE, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Judiciary II.

The House committee substitute bill is re-referred to the Committee on Judiciary II. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 562, A BILL TO BE ENTITLED AN ACT TO INCREASE THE AMOUNT OF THE PROCESSING FEE CHARGED FOR RETURNED CHECKS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **S.B. 565**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE APPLICATION OF THE COMMISSIONER OF BANK'S RATE TO VARIABLE RATE LOANS WITH ADJUSTMENT PERIODS GREATER THAN ONE MONTH AND TO REPEAL THE LAWS GOVERNING VARIABLE RATE LOANS OF MANUFACTURED HOMES AND INSTALLMENT RATES AND FEES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **S.B. 699**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE PLACE OF BUSINESS OF A MOTOR VEHICLE DEALER WHO SELLS ONLY TRAILERS OR SEMI-TRAILERS DOES NOT HAVE TO MEET THE REQUIREMENTS SET FOR AN ESTABLISHED OFFICE OR SALESROOM OF A MOTOR VEHICLE DEALER, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Judiciary I.

The House committee substitute bill is re-referred to the Committee on Judiciary I. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 974, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE EMPLOYMENT SECURITY COMMISSION TO WAIVE INTEREST ON LATE CONTRIBUTIONS, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

By Representatives Bowie, Dockham, and McMahan, Co-Chairs, for the Permanent Subcommittee on Transportation of the Standing Committee on Appropriations, with approval of standing committee co-chairs for report to be made directly to the floor of the House:

Committee Substitute for **H.B. 502**, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF MOTOR VEHICLE IN THE DEALERS AND MANUFACTURERS LICENSING LAW TO INCLUDE PERSONAL WATERCRAFT AND ALL TERRAIN VEHICLES, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1.

Committee Substitute Bill No. 2 is placed on the Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

SUBCOMMITTEE REFERRAL

Representatives Gray, Brawley, and Dickson, Co-Chairs, for the Standing Committee on Finance, refer **H.B. 566**, A BILL TO BE ENTITLED AN ACT EXEMPTING THE WAKE COUNTY PUBLIC SCHOOL SYSTEM FROM DEVELOPMENT CHARGES RELATED TO THE CONSTRUCTION, RENOVATION, AND REPAIR OF PUBLIC SCHOOL SYSTEM INFRASTRUCTURE FACILITIES IN WAKE COUNTY AND THE MUNICIPALITIES THEREIN, to the Permanent Subcommittee on Local, Regional, and State Revenues.

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber

July 8, 1997

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute bill to **S.B. 143** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS PROHIBITING THE SALE OR PURCHASE OF TOBACCO PRODUCTS TO PERSONS LESS THAN EIGHTEEN YEARS OF AGE AND TO REQUIRE THAT CERTAIN PERSONS BE TRAINED REGARDING THESE LAWS, which House Committee Substitute bill proposes to change the title, upon concurrence, to read **S.B. 143** (House Committee Substitute) A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE SALE OR PURCHASE OF TOBACCO PRODUCTS TO PERSONS LESS THAN EIGHTEEN YEARS OF AGE AND TO REQUIRE THAT CERTAIN PERSONS BE TRAINED REGARDING THESE LAWS.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

MESSAGE FROM THE SENATE

The following is received from the Senate:

Committee Substitute No. 2 for **H.B. 63**, A BILL TO BE ENTITLED AN ACT TO RESTORE EXTRATERRITORIAL PLANNING POWERS OF THE TOWN OF RIVER BEND BUT PROHIBIT IT FROM MAKING INVOLUNTARY ANNEXATIONS, is returned for concurrence in Senate amendment and referred to the Committee on Rules, Calendar, and Operations of the House.

The Senate amendment is ruled to be material, thus constituting its first reading.

Upon concurrence, the Senate amendment changes the title.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

Senate Committee Substitute for **H.B. 1059**, A BILL TO BE ENTITLED AN ACT TO AMEND THE COASTAL AREA MANAGEMENT ACT TO ALLOW CERTAIN TYPES OF REDEVELOPMENT WITHIN URBAN WATERFRONTS THAT HISTORICALLY HAVE A PATTERN OF URBAN-LEVEL DEVELOPMENT, is returned for concurrence in Senate committee substitute and referred to the Committee on Judiciary II.

MESSAGE FROM THE SENATE

The following is received from the Senate:

Senate Committee Substitute for **H.B. 1061**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH LIFETIME SPORTSMAN LICENSES FOR CERTAIN DISABLED RESIDENTS AND DISABLED VETERANS AND TO PROHIBIT THE UNLAWFUL USE OF FACILITIES PROVIDED FOR DISABLED SPORTSMEN, is returned for concurrence in Senate committee substitute and placed on the Calendar of July 10.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

Senate Committee Substitute for **H.B. 1122**, A BILL TO BE ENTITLED AN ACT TO FACILITATE THE TRIAL OF DRUG OFFENSES BY AUTHORIZING THE USE OF LABORATORY REPORTS IN SUPERIOR COURT AND JUVENILE COURT PROCEEDINGS AND BY ELIMINATING THE NEED FOR UNNECESSARY WITNESSES IN ESTABLISHING A CHAIN OF CUSTODY, WHEN THE DEFENDANT DOES NOT TIMELY OBJECT TO THE ADMISSION OF A LABORATORY REPORT OR THE CHAIN OF CUSTODY, is returned for concurrence in Senate committee substitute and referred to the Committee on Rules, Calendar, and Operations of the House.

Upon concurrence, the Senate committee substitute changes the title.

CALENDAR

Action is taken on the following:

H.B. 545, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF WILLIAMSTON TO EXERCISE EXTRATERRITORIAL JURISDICTION OVER AN AREA EXTENDING TWO MILES FROM ITS LIMITS.

The House concurs in the material Senate amendment, which changes the title, on its third roll call reading, by the following vote, and the bill is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Black, Blue,

Bonner, Boyd-McIntyre, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Decker, Dedmon, Dickson, Dockham, Earle, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McMahan, Mercer, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Reynolds, Russell, Saunders, Sexton, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, G. Wilson, Womble, Wood, Wright, and Yongue - 105.

Voting in the negative: None.

Excused absences: Representatives Berry, Braswell, McCrary, Rogers, Sherrill, Warwick, and C. Wilson - 7.

Representative Davis states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (106-0).

H.B. 867, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT THE GENERAL LAW APPLIES TO ANNEXATION OF CERTAIN PARCELS OF LAND BY THE TOWN OF MATTHEWS AND TO EXEMPT THOSE PARCELS FROM PRIOR LOCAL ACTS CONCERNING ZONING JURISDICTION.

The House concurs in the material Senate amendment, which changes the title, on its third roll call reading, by the following vote, and the bill is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston,

Ramsey, Rayfield, Redwine, Reynolds, Russell, Saunders, Sexton, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, G. Wilson, Womble, Wood, Wright, and Yongue - 110.

Voting in the negative: None.

Excused absences: Representatives Berry, Braswell, McCrary, Rogers, Sherrill, Warwick, and C. Wilson - 7.

Senate Committee Substitute for **H.B. 681**, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF ROXBORO.

On motion of Representative Wilkins, the House concurs in the Senate committee substitute, by electronic vote (107-1), and the bill is ordered enrolled.

Committee Substitute No. 2 for **H.B. 225**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR CLEANUP OF DRY-CLEANING SOLVENT CONTAMINATION IN NORTH CAROLINA, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Beall, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Russell, Saunders, Sexton, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, G. Wilson, Womble, Wood, Wright, and Yongue - 109.

Voting in the negative: None.

Excused absences: Representatives Berry, Braswell, McCrary, Rogers, Sherrill, Warwick, and C. Wilson - 7.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 251**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE COMMON LAW TO PERMIT THE CREATION OF EASEMENTS, RESTRICTIONS, AND COVENANTS BY A LANDOWNER, passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

On motion of Representative Hackney and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of July 10.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 466**, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM STATE INCOME TAX ALL OF THE ANNUAL INVESTMENT INCOME EARNED BY CONTRIBUTORS ON DEPOSITS IN THE PARENTAL SAVINGS TRUST FUND AS WELL AS THE DISTRIBUTIONS TO BENEFICIARIES OF THAT FUND, passes its second reading by electronic vote (107-0).

Representative McMahan requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (108-0).

Representative Luebke objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute No. 2 for **S.B. 921**, A BILL TO BE ENTITLED AN ACT TO EXEMPT LICENSED NONPROFIT CONTINUING CARE FACILITIES FROM THE LICENSURE REQUIREMENTS OF THE NORTH CAROLINA CHARITABLE SOLICITATIONS ACT, passes its second reading, by electronic vote (90-22), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House Committee Substitute No. 2.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 1055**, A BILL TO BE ENTITLED AN ACT ESTABLISHING THE PUBLIC HOSPITAL PERSONNEL ACT AND AMENDING THE LAW GOVERNING DISPOSAL OF FETAL

REMAIN, passes its second reading, by electronic vote (108-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

House Committee Substitute for **S.B. 141**, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN GOVERNMENTAL ENTITIES FROM STATE PURCHASE AND CONTRACT REQUIREMENTS, passes its second reading by electronic vote (100-8).

Representative Carpenter objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 943**, A BILL TO BE ENTITLED AN ACT TO ENACT THE MEDICAL ASSISTANCE PROVIDER FALSE CLAIMS ACT.

Representative Blue offers Amendment No. 1 which is adopted by electronic vote (110-0).

The bill, as amended, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

Committee Substitute for **S.B. 455**, A BILL TO BE ENTITLED AN ACT TO IMPROVE HMO SERVICES BY PROTECTING PHYSICIAN COMMUNICATIONS REGARDING TREATMENT, REQUIRING COVERAGE FOR EMERGENCY CARE, AND REDUCING THE APPROVAL PERIOD FOR RATE FILINGS.

On motion of Representative Dockham and without objection, consideration of the bill is postponed until July 16.

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber

July 9, 1997

Mr. Speaker:

On **H.B. 484** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE RECORDATION OF NOTICES OF OPEN DUMPS IN THE OFFICE OF THE REGISTER OF DEEDS, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees to the end that when a similar action has been taken on the part of your Honorable Body, the Speaker may order the bill enrolled.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SUBCOMMITTEE REFERRAL

Representatives Holmes, Esposito, Creech, and Crawford, Co-Chairs, for the Standing Committee on Appropriations, refer Committee Substitute for **H.B. 565**, A BILL TO BE ENTITLED AN ACT TO CHANGE SEVERAL LAWS AFFECTING WAKE COUNTY, to the Permanent Subcommittee on Natural and Economic Resources.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan, **H.B. 794**, A BILL TO BE ENTITLED AN ACT TO MAKE SUBSTANTIVE CHANGES TO THE NORTH CAROLINA ENGINEERING AND LAND SURVEYING ACT, is withdrawn from the Calendar pursuant to Rule 36(a) and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Morgan, seconded by Representative Culpepper, the House adjourns at 11:00 a.m. to reconvene July 10 at 10:00 a.m.

NINETY-FOURTH DAY

HOUSE OF REPRESENTATIVES
Thursday, July 10, 1997

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain.

"As far as the East is from the West, so is our inability to comprehend the height and the depth, the breadth and width of Your love for us, O Lord. As far as the ocean reaches the bottom of the sea, so does Your love reach down out of heaven for us, O Lord. As mighty as the wind and the waves crash against the cliffs, so is Your pity for us, O God who made the heavens and earth.

"These are the images of Your love we need to keep ever before us. That God, who created all there is both seen and unseen, would spare nothing, not even his own Son, to keep from loving us. That You love each and every one of us as if there is but one of us to love. This is what is at stake when we meet behind closed doors. This is what is at stake when we jockey for leverage and political power. O Lord, our Rock and our Redeemer, can we dare to forget this when we meet together to settle the budget or to pass a bill or to even lift the hand to make a motion? Can we dare to forget that it is not but for the grace of God that we have our lives? What, then, about the lives of others? May God have mercy upon us as we seek to live and work together in a community that has been given the privilege and opportunity to bless God's people. Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 9 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (92-1).

Leaves of absence are granted Representatives Barbee, Berry, Dockham, Easterling, McCrary, Mercer, Morris, Redwine, Rogers, Sherrill, and C. Wilson for today.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

S.B. 330, AN ACT TO AMEND THE LAW GOVERNING SAFE-DEPOSIT BOXES.

S.B. 667, AN ACT TO AMEND THE CRIMINAL OFFENSE OF STALKING.

S.B. 714, AN ACT TO REQUIRE HEALTH AND ACCIDENT INSURANCE POLICIES, HOSPITAL OR MEDICAL SERVICE PLANS,

HMO PLANS, AND THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN TO PROVIDE COVERAGE FOR RECONSTRUCTIVE BREAST SURGERY RESULTING FROM MASTECTOMY.

S.B. 930, AN ACT TO ABOLISH THE MUTUAL BURIAL ASSOCIATION COMMISSION AND TO TRANSFER ITS DUTIES TO THE BOARD OF MORTUARY SCIENCE.

H.B. 617, AN ACT TO CLARIFY THAT SCHOOL BUSES AND SCHOOL ACTIVITY BUSES MAY NOT COMPETE WITH THE PRIVATE SECTOR.

H.B. 1006, AN ACT TO INCREASE THE EXEMPTION FOR ANNOUNCING REQUIREMENTS OF CAPITAL IMPROVEMENT PROJECT DESIGNS.

ENROLLED BILLS

The following bills are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 545, AN ACT TO ALLOW THE TOWNS OF TABOR CITY AND WILLIAMSTON TO EXERCISE EXTRATERRITORIAL JURISDICTION OVER AN AREA EXTENDING TWO MILES FROM ITS LIMITS.

H.B. 681, AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF ROXBORO.

H.B. 867, AN ACT TO CLARIFY THAT THE GENERAL LAW APPLIES TO ANNEXATION OF CERTAIN PARCELS OF LAND BY THE TOWN OF MATTHEWS, TO EXEMPT THOSE PARCELS FROM PRIOR LOCAL ACTS CONCERNING ZONING JURISDICTION AND TO MAKE A TECHNICAL CORRECTION IN A BILL MOVING CERTAIN PARCELS FROM MATTHEWS TO CHARLOTTE.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Neely for the Committee on Judiciary II:

S.B. 60, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE RULES FOR MAKING LEFT TURNS ON VARIOUS ROADWAYS, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 372**, A BILL TO BE ENTITLED AN ACT TO AMEND, FOR SERVICE IN A CIVIL ACTION UPON A DEFENDANT LOCATED OUTSIDE THE UNITED STATES, THE TIME LIMITS REGARDING THE SECURING OF AN ENDORSEMENT UPON THE ORIGINAL SUMMONS OR THE SUING OUT OF AN ALIAS OR PLURIES SUMMONS WHEN THE DEFENDANT IS NOT SERVED WITHIN THE TIME ALLOWED FOR SERVICE, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

H.B. 42, A BILL TO BE ENTITLED AN ACT TO EXTEND AN ACT TO PROVIDE THAT THE LAWS RELATING TO MOTOR VEHICLES APPLY WITHIN THE CAROLINA TRACE COMMUNITY IN LEE COUNTY, with recommendation that the House concur.

The bill is placed on today's Calendar.

Senate Committee Substitute for **H.B. 739**, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN AND CLARIFY THE DEALERS AND MANUFACTURERS LICENSING LAW, with recommendation that the House concur.

The bill is placed on the Calendar of July 14.

Senate Committee Substitute for **H.B. 773**, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE

VILLAGE OF BALD HEAD ISLAND, with recommendation that the House do not concur; request conferees.

The bill is placed on the Calendar of July 14.

H.J.R. 1004, A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THREE APPOINTMENTS BY THE GOVERNOR OF NEW MEMBERS TO THE STATE BOARD OF EDUCATION, with a favorable report as to committee substitute joint resolution, which changes the title, unfavorable as to original resolution.

Pursuant to Rule 36(a), the committee substitute joint resolution is placed on the Calendar. The original resolution is placed on the Unfavorable Calendar.

Senate Committee Substitute for **H.B. 1122,** A BILL TO BE ENTITLED AN ACT TO FACILITATE THE TRIAL OF DRUG OFFENSES BY AUTHORIZING THE USE OF LABORATORY REPORTS IN SUPERIOR COURT AND JUVENILE COURT PROCEEDINGS AND BY ELIMINATING THE NEED FOR UNNECESSARY WITNESSES IN ESTABLISHING A CHAIN OF CUSTODY, WHEN THE DEFENDANT DOES NOT TIMELY OBJECT TO THE ADMISSION OF A LABORATORY REPORT OR THE CHAIN OF CUSTODY, with recommendation that the House concur.

The bill is placed on today's Calendar.

H.J.R. 1236, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF CALVIN LEE KOONCE, JR., with a favorable report.

Pursuant to Rule 36(a), the resolution is placed on the Calendar.

Committee Substitute for **S.B. 564,** A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA FINANCIAL PRIVACY ACT TO PERMIT THE DISCLOSURE OF THE NAME, ADDRESS, AND TYPE OF ACCOUNT OF ANY CUSTOMER, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Commerce.

The House committee substitute bill is re-referred to the Committee on Commerce. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 597, A BILL TO BE ENTITLED AN ACT TO ALLOW PHYSICIANS PRACTICING PSYCHIATRY AND PSYCHOLOGISTS TO FORM PROFESSIONAL CORPORATIONS WITH LICENSED PROFESSIONAL COUNSELORS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Hill for the Permanent Subcommittee on Local, Regional, and State Revenues of the Standing Committee on Finance, with approval of standing committee co-chairs for report to be made directly to the floor of the House:

Committee Substitute for **H.B. 631**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE FORMULA FOR DISTRIBUTING THE PROCEEDS OF THE FORSYTH COUNTY OCCUPANCY TAXES, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

Committee Substitute for **H.B. 859**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE BRUNSWICK COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, TO AUTHORIZE CERTAIN MUNICIPALITIES IN BRUNSWICK COUNTY TO LEVY OR INCREASE ROOM OCCUPANCY TAXES, TO AUTHORIZE THE CITY OF LUMBERTON TO LEVY AN ADDITIONAL, TEMPORARY ROOM OCCUPANCY TAX, TO MODIFY THE PURPOSES FOR WHICH THE LUMBERTON ROOM OCCUPANCY TAX CAN BE USED, AND TO AUTHORIZE PERSON COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

House Committee Substitute for **S.B. 585**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF LUMBERTON TO LEVY AN ADDITIONAL, TEMPORARY ROOM OCCUPANCY TAX, TO MODIFY THE PURPOSES FOR WHICH THE LUMBERTON ROOM OCCUPANCY

TAX CAN BE USED, AND TO AUTHORIZE THE CITY OF SHELBY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 2 is placed on the Calendar. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representative Allred for the Committee on Ways and Means:

S.B. 578, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF MOUNT AIRY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

The House committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representatives Gray, Brawley and Dickson, Co-Chairs, for the Committee on Finance:

Committee Substitute for **H.B. 665**, A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIME VICTIMS' RIGHTS ACT, TO ASSIST VICTIMS OF DOMESTIC VIOLENCE, TO ALLOW THE ENFORCEMENT OF ORDERS FOR RESTITUTION IN CRIMINAL CASES IN THE SAME MANNER AS CIVIL JUDGMENTS, TO CREATE AN EXCEPTION TO THE STATUTORY EXEMPTIONS FOR EXECUTION OF RESTITUTION JUDGMENTS, AND TO CHANGE THE ORDER OF PRIORITY FOR DISBURSEMENT OF FUNDS IN CRIMINAL CASES, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1, and recommendation that Committee Substitute Bill No. 2 be re-referred to the Committee on Appropriations.

Committee Substitute Bill No. 2 is re-referred to the Committee on Appropriations. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

Committee Substitute for **H.B. 1110**, A BILL TO BE ENTITLED AN ACT AMENDING THE STATUTES RELATED TO LANDSCAPE

ARCHITECTS, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar of July 14. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representatives Miner, Church, Hiatt, and Tallent, Co-Chairs, for the Committee on Commerce:

Committee Substitute for **S.B. 333**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING THE PROCEDURE FOR ENTRY OF ORDERS IN THE COMMODITIES ACT, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **S.B. 382**, A BILL TO BE ENTITLED AN ACT REDEFINING THE BASE PERIOD FOR UNEMPLOYMENT BENEFITS AND ELIMINATING THE ONE AND ONE-HALF TIMES TEST, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 425, A BILL TO BE ENTITLED AN ACT TO AMEND THE ARTICLE ON REFRIGERATION CONTRACTORS, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

Committee Substitute for **S.B. 730**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO THE ISSUANCE OF BONDS BY INDUSTRIAL FACILITIES AND POLLUTION CONTROL FINANCING AUTHORITIES, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

CONFERENCE REPORT

Representative Weatherly sends forth the Conference Report on Senate Committee Substitute for **H.B. 484**, A BILL TO BE ENTITLED AN ACT

TO PROVIDE FOR THE RECORDATION OF NOTICES OF OPEN DUMPS IN THE OFFICE OF THE REGISTER OF DEEDS. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of July 14.

SUBCOMMITTEE REFERRALS

Representatives Gray, Brawley, and Dickson, Co-Chairs, for the Standing Committee on Finance, refer **H.B. 600**, A BILL TO BE ENTITLED AN ACT CLARIFYING THAT IN MODIFYING THE REQUIREMENTS FOR MAKING STREET ASSESSMENTS IN FOXFIRE VILLAGE UNDER CERTAIN CIRCUMSTANCES, UNDERGROUNDING OF UTILITIES, WHICH WAS PART OF THE PROJECT, IS ALSO SUBJECT TO ASSESSMENT, to the Permanent Subcommittee on Local, Regional, and State Revenues.

Representative Holmes, Senior Ranking Member and Co-Chair for the Standing Committee on Appropriations, refers **H.B. 745**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE STATE SHALL PAY THE COST OF ANY REQUIRED LEGAL ADVERTISING IT REQUIRES COUNTIES TO PLACE IN CONNECTION WITH ANY REFERENDUM PLACED ON THE BALLOT BY THE GENERAL ASSEMBLY, to the Permanent Subcommittee on General Government.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

Committee Substitute for **S.B. 853**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE SECRETARY OF THE DEPARTMENT OF REVENUE TO APPOINT EMPLOYEES OF THE DEPARTMENT AS REVENUE LAW ENFORCEMENT AGENTS TO ENFORCE THE EXCISE TAX ON CONTROLLED SUBSTANCES AND THE CRIMINAL PROVISIONS OF THE REVENUE LAWS AND DIRECTING THE SECRETARY OF REVENUE TO NOTIFY AFFECTED INTANGIBLES TAXPAYERS BY MAIL AS SOON AS POSSIBLE OF THE COURT NOTICE IN THE CLASS ACTION LAWSUIT REGARDING REFUNDS, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

BILLS CALENDARED

On motion of Representative Morgan and without objection, **H.B. 42**, A BILL TO BE ENTITLED AN ACT TO EXTEND AN ACT TO

PROVIDE THAT THE LAWS RELATING TO MOTOR VEHICLES APPLY WITHIN THE CAROLINA TRACE COMMUNITY IN LEE COUNTY, and Senate Committee Substitute for **H.B. 1122**, A BILL TO BE ENTITLED AN ACT TO FACILITATE THE TRIAL OF DRUG OFFENSES BY AUTHORIZING THE USE OF LABORATORY REPORTS IN SUPERIOR COURT AND JUVENILE COURT PROCEEDINGS AND BY ELIMINATING THE NEED FOR UNNECESSARY WITNESSES IN ESTABLISHING A CHAIN OF CUSTODY, WHEN THE DEFENDANT DOES NOT TIMELY OBJECT TO THE ADMISSION OF A LABORATORY REPORT OR THE CHAIN OF CUSTODY, are calendared for immediate consideration.

On motion of Representative Davis, the House concurs in the Senate amendment, which changes the title, on **H.B. 42**, A BILL TO BE ENTITLED AN ACT TO EXTEND AN ACT TO PROVIDE THAT THE LAWS RELATING TO MOTOR VEHICLES APPLY WITHIN THE CAROLINA TRACE COMMUNITY IN LEE COUNTY, by electronic vote (100-1), and the bill is ordered enrolled.

Representatives Shubert and Baddour state that their voting equipment malfunctioned and they request to be recorded as voting "aye". These requests are granted. The adjusted vote total is (102-1).

Representative Daughtry moves that the House concur in Senate Committee Substitute for **H.B. 1122**, A BILL TO BE ENTITLED AN ACT TO FACILITATE THE TRIAL OF DRUG OFFENSES BY AUTHORIZING THE USE OF LABORATORY REPORTS IN SUPERIOR COURT AND JUVENILE COURT PROCEEDINGS AND BY ELIMINATING THE NEED FOR UNNECESSARY WITNESSES IN ESTABLISHING A CHAIN OF CUSTODY, WHEN THE DEFENDANT DOES NOT TIMELY OBJECT TO THE ADMISSION OF A LABORATORY REPORT OR THE CHAIN OF CUSTODY.

Representative Hensley raises a point of order regarding the single subject rule (Rule 31.1). On motion of the Chair, the bill is temporarily displaced.

CALENDAR

Action is taken on the following:

H.B. 1061, A BILL TO BE ENTITLED AN ACT TO ESTABLISH LIFETIME SPORTSMAN LICENSES FOR CERTAIN DISABLED

RESIDENTS AND DISABLED VETERANS AND TO PROHIBIT THE UNLAWFUL USE OF FACILITIES PROVIDED FOR DISABLED SPORTSMEN.

On motion of Representative McCombs, the House concurs in the Senate committee substitute, by electronic vote (102-0), and the bill is ordered enrolled and presented to the Governor.

Committee Substitute No. 2 for **H.B. 777**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF KINGS MOUNTAIN TO ANNEX CERTAIN NONCONTIGUOUS PROPERTY, PROHIBITING THE CITY FROM RESTRICTING RECREATIONAL USES OF MOSS LAKE, AND REQUIRING THE CITY TO CREATE AN AUTHORITY TO ADDRESS ISSUES RELATED TO MOSS LAKE.

On motion of Representative Weatherly, consideration of the bill is postponed until July 16 by electronic vote (103-1).

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 378**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ROCKINGHAM COUNTY TO CONTRACT FOR THE SUPERVISION OF WORKING PRISONERS BY EMPLOYEES OF ANOTHER UNIT OF STATE OR LOCAL GOVERNMENT.

Representative Allred offers Amendment No. 1.

On motion of the Chair, the bill with pending amendment is temporarily displaced.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 480**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA WOMENWORK FUND FOR DISPLACED HOMEMAKERS TO BE ADMINISTERED BY THE NORTH CAROLINA COUNCIL FOR WOMEN, AND TO ESTABLISH AN ADDITIONAL CIVIL ACTION FEE TO BE COLLECTED BY THE COURT IN DIVORCE ACTIONS.

Representative Morgan offers Amendment No. 1 which is adopted by electronic vote (100-0).

Representative Brawley calls the previous question on the passage of the bill and the call is sustained by electronic vote (62-41).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baddour, Beall, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Cunningham, Decker, Dedmon, Dickson, Eddins, Ellis, Esposito, Fox, Gamble, Goodwin, Gray, Hackney, Hardy, Hensley, Hiatt, Hightower, Holmes, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Kinney, Luebke, McAllister, McComas, McMahan, Miller, Miner, Moore, Morgan, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Reynolds, Russell, Saunders, Sexton, Smith, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, G. Wilson, Womble, Wood, Wright, and Yongue - 84.

Voting in the negative: Representatives Allred, Baker, Braswell, Creech, Daughtry, Davis, Gardner, Grady, Gulley, Hall, Hardaway, Hill, Howard, Justus, Kiser, McCombs, Mitchell, Rayfield, Shubert, Starnes, and Sutton - 21.

Excused absences: Representatives Barbee, Berry, Dockham, Easterling, McCrary, Mercer, Morris, Redwine, Rogers, Sherrill, and C. Wilson - 11.

Senate Committee Substitute for **H.B. 1122**, A BILL TO BE ENTITLED AN ACT TO FACILITATE THE TRIAL OF DRUG OFFENSES BY AUTHORIZING THE USE OF LABORATORY REPORTS IN SUPERIOR COURT AND JUVENILE COURT PROCEEDINGS AND BY ELIMINATING THE NEED FOR UNNECESSARY WITNESSES IN ESTABLISHING A CHAIN OF CUSTODY, WHEN THE DEFENDANT DOES NOT TIMELY OBJECT TO THE ADMISSION OF A LABORATORY REPORT OR THE CHAIN OF CUSTODY, which was temporarily displaced, is before the Body for the question of concurrence.

On motion of Representative Daughtry and pursuant to Rule 31.1(d2), the bill is placed before the Body by electronic vote (75-26).

Representative Michaux inquires of the Chair if the question can be divided pursuant to Section 316 of Mason's Manual. The Speaker rules that it can not because the question is the motion to concur.

The House concurs in the Senate committee substitute, which changes the title, by electronic vote (88-16), and the bill is ordered enrolled and presented to the Governor by Special Message.

Committee Substitute for **S.B. 378**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ROCKINGHAM COUNTY TO CONTRACT FOR THE SUPERVISION OF WORKING PRISONERS BY EMPLOYEES OF ANOTHER UNIT OF STATE OR LOCAL GOVERNMENT, which was temporarily displaced with Amendment No. 1 pending, is before the Body.

Amendment No. 1 is adopted. This amendment changes the title.

The bill, as amended, passes its second reading. The caption having been amended, the bill remains on the Calendar.

House Committee Substitute for **S.B. 251**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE COMMON LAW TO PERMIT THE CREATION OF EASEMENTS, RESTRICTIONS, AND COVENANTS BY A LANDOWNER.

Representative Hackney offers Amendment No. 1 which is adopted by electronic vote (103-1).

Representative Decker states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (104-1).

The bill, as amended, passes its third reading, by electronic vote (104-0), and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

Committee Substitute for **S.B. 466**, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM STATE INCOME TAX ALL OF THE ANNUAL INVESTMENT INCOME EARNED BY CONTRIBUTORS ON DEPOSITS IN THE PARENTAL SAVINGS TRUST FUND AS WELL AS THE DISTRIBUTIONS TO BENEFICIARIES OF THAT FUND, passes its third reading, by electronic vote (106-0), and is ordered enrolled and presented to the Governor.

House Committee Substitute for **S.B. 141**, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN GOVERNMENTAL ENTITIES FROM STATE PURCHASE AND CONTRACT REQUIREMENTS, passes its third reading, by electronic vote (99-6), and is ordered sent to the Senate for concurrence in House committee substitute.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 1059**, A BILL TO BE ENTITLED AN ACT TO ENSURE THAT DEALER PLATES ARE USED ONLY ON VEHICLES DRIVEN FOR A BUSINESS PURPOSE OF THE DEALERSHIP AND TO LIMIT THE NUMBER OF TRANSPORTER PLATES THAT MAY BE ISSUED TO A DEALER, passes its second reading, by electronic vote (106-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative Morgan and without objection, **S.B. 833**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA, is withdrawn from the Calendar pursuant to Rule 36(a), and re-referred to the Committee on Finance.

On motion of Representative Morgan and without objection, **S.B. 545**, A BILL TO BE ENTITLED AN ACT TO MAKE A TECHNICAL CHANGE REGARDING THE DISPOSITION OF OBJECTS FROM THE COLLECTIONS OF THE MUSEUM OF NATURAL SCIENCES, is withdrawn from the Calendar pursuant to Rule 36(a), and re-referred to the Committee on Appropriations.

On motion of Representative Morgan, seconded by Representative Wright, the House adjourns at 11:45 a.m. to reconvene Monday, July 14, 1997, at 6:00 p.m.

NINETY-FIFTH DAY

HOUSE OF REPRESENTATIVES
Monday, July 14, 1997

The House meets at 6:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain.

"New every day is Your love for us, Great God of heaven, and all day long You are working for good in the world. We pause this evening to begin our work week with deep gratitude and thanksgiving to You; not for all the mighty works that You have done, but for who You are.

"We thank You for the past weekend's rest and the renewal of our bodies, minds, and souls. We thank You for the opportunity to put our two feet on the floor each morning and seek to walk in paths of righteousness. We thank You that even when our love fails, Your love remains steadfast.

"Grant us the serenity and the humility to begin this work week repeating with the Psalmist,

'Cleanse me with hyssop, and I shall be clean.
Wash me, and I shall be whiter than snow.
Create in me, a clean heart, O God, and place
within me...a new heart...and a heart that is pure.'

We pray this in the name of, for the sake of, the one who knows each one of us by name. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 10 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (88-1).

Leaves of absence are granted Representatives Aldridge, Baddour, Bonner, Davis, Hightower, Moore, Morris, Neely, Russell, and Sutton for today.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

S.B. 466, AN ACT TO EXEMPT FROM STATE INCOME TAX ALL OF THE ANNUAL INVESTMENT INCOME EARNED BY CONTRIBUTORS ON DEPOSITS IN THE PARENTAL SAVINGS

TRUST FUND AS WELL AS THE DISTRIBUTIONS TO BENEFICIARIES OF THAT FUND.

S.B. 894, AN ACT TO PROVIDE THAT DEALERS HAVE TEN WORKING DAYS TO SEND MOTOR VEHICLE FEES TO THE STATE.

H.B. 88, AN ACT TO GRANT SUBPOENA POWER TO THE STATE BOARD OF EDUCATION IN CASES INVOLVING THE SUSPENSION OR REVOCATION OF CERTIFICATES.

H.B. 1061, AN ACT TO ESTABLISH LIFETIME SPORTSMAN LICENSES FOR CERTAIN DISABLED RESIDENTS AND DISABLED VETERANS AND TO PROHIBIT THE UNLAWFUL USE OF FACILITIES PROVIDED FOR DISABLED SPORTSMEN.

H.B. 1122, AN ACT TO FACILITATE THE TRIAL OF DRUG OFFENSES BY AUTHORIZING THE USE OF LABORATORY REPORTS IN SUPERIOR COURT AND JUVENILE COURT PROCEEDINGS AND BY ELIMINATING THE NEED FOR UNNECESSARY WITNESSES IN ESTABLISHING A CHAIN OF CUSTODY WHEN THE DEFENDANT DOES NOT TIMELY OBJECT TO THE ADMISSION OF A LABORATORY REPORT OR THE CHAIN OF CUSTODY, TO AMEND THE EVIDENCE LAWS DEALING WITH THE OPTOMETRIST/PATIENT PRIVILEGE, AND TO AUTHORIZE SUPERIOR COURT SESSIONS IN THOMASVILLE AND MOORESVILLE.

ENROLLED BILLS

The following bills are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 42, AN ACT TO EXTEND AN ACT TO PROVIDE THAT THE LAWS RELATING TO MOTOR VEHICLES APPLY WITHIN THE CAROLINA TRACE COMMUNITY IN LEE COUNTY AND TO EXTEND THE APPLICATION OF THAT ACT TO THE LAKE ROYALE COMMUNITY IN FRANKLIN AND NASH COUNTIES.

H.B. 340, AN ACT PROVIDING THAT THE CITY OF KANNAPOLIS MAY CONDEMN OR ACQUIRE PROPERTY IN ROWAN COUNTY WITHOUT THE CONSENT OF THE ROWAN COUNTY BOARD OF COMMISSIONERS.

CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

S.B. 316, AN ACT TO AMEND THE WILLIAM S. LEE QUALITY JOBS AND BUSINESS EXPANSION ACT. (S.L. 1997-277)

H.B. 184, AN ACT TO EXEMPT THE NORTH CAROLINA TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN FROM ARTICLE 2A OF THE ADMINISTRATIVE PROCEDURE ACT AND TO REQUIRE THE EMPLOYEE HOSPITAL AND MEDICAL BENEFITS COMMITTEE TO MEET AT LEAST QUARTERLY. (S.L. 1997-278)

H.B. 311, AN ACT TO MAKE PERMANENT THE EXCLUSION OF FORFEITED RESERVATION DEPOSITS FROM THE ESCHEAT FUND. (S.L. 1997-279)

H.B. 101, AN ACT TO EXTEND THE TIME FOR THE DEPARTMENT OF HUMAN RESOURCES TO ADMINISTER THE SERVICES OF THE TRI-COUNTY AREA AUTHORITY. (S.L. 1997-280)

H.B. 545, AN ACT TO ALLOW THE TOWNS OF TABOR CITY AND WILLIAMSTON TO EXERCISE EXTRATERRITORIAL JURISDICTION OVER AN AREA EXTENDING TWO MILES FROM ITS LIMITS. (S.L. 1997-281)

H.B. 681, AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF ROXBORO. (S.L. 1997-282)

H.B. 867, AN ACT TO CLARIFY THAT THE GENERAL LAW APPLIES TO ANNEXATION OF CERTAIN PARCELS OF LAND BY THE TOWN OF MATTHEWS, TO EXEMPT THOSE PARCELS FROM PRIOR LOCAL ACTS CONCERNING ZONING JURISDICTION AND TO MAKE A TECHNICAL CORRECTION IN A BILL MOVING CERTAIN PARCELS FROM MATTHEWS TO CHARLOTTE. (S.L. 1997-283)

S.B. 668, AN ACT TO AMEND THE EDUCATION REQUIREMENTS FOR CERTIFIED PUBLIC ACCOUNTANTS. (S.L. 1997-284)

H.B. 400, AN ACT TO REWRITE THE AUTHORITY OF THE STATE BANKING COMMISSION TO ASSESS BANKS AND

CONSUMER FINANCE LICENSEES FOR THE MAINTENANCE AND OPERATION OF THE OFFICE OF THE COMMISSIONER OF BANKS. (S.L. 1997-285)

H.B. 460, AN ACT TO ABOLISH THE NORTH CAROLINA AQUARIUMS COMMISSION, TO AUTHORIZE THE SECRETARY OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO ADOPT ENTRANCE FEES FOR THE NORTH CAROLINA AQUARIUMS, AND TO MAKE TECHNICAL CORRECTIONS. (S.L. 1997-286)

H.B. 852, AN ACT TO PROVIDE THAT INFORMATION IN A 911 DATABASE OBTAINED FROM A TELEPHONE COMPANY IS CONFIDENTIAL IF REQUIRED BY THE AGREEMENT OBTAINING THE INFORMATION. (S.L. 1997-287)

S.B. 521, AN ACT TO ESTABLISH PILOT PROGRAMS ON SEXUAL ASSAULT FOR INMATES AND EMPLOYEES OF THE DEPARTMENT OF CORRECTION. (S.L. 1997-288)

S.B. 885, AN ACT TO MAKE TECHNICAL AMENDMENTS TO THE LAW REGARDING THE TIME FOR EXECUTION. (S.L. 1997-289)

S.B. 844, AN ACT TO STRENGTHEN THE OPEN MEETINGS LAW TO REQUIRE ACCOUNTS OF CLOSED MEETINGS AND TO CLARIFY WHAT ACTIONS ON ECONOMIC DEVELOPMENT INCENTIVES MAY BE TAKEN IN CLOSED SESSIONS. (S.L. 1997-290)

H.B. 407, AN ACT TO REPEAL THE CURRENT STATUTES REGARDING FRAUDULENT CONVEYANCES AND TO ADOPT THE UNIFORM FRAUDULENT TRANSFER ACT IN ORDER TO MODERNIZE NORTH CAROLINA LAW AND HARMONIZE OUR LAW ON THIS SUBJECT WITH THOSE STATES THAT HAVE ADOPTED THIS UNIFORM ACT. (S.L. 1997-291)

H.B. 754, AN ACT TO LEVY AN EXCISE TAX ON ILLICIT SPIRITUOUS LIQUOR, AN EXCISE TAX ON MASH, AND AN EXCISE TAX ON ILLICIT MIXED BEVERAGES. (S.L. 1997-292)

S.B. 1074, AN ACT TO OFFICIALLY RECOGNIZE THE INDIANS PREVIOUSLY RECOGNIZED IN THE GENERAL STATUTES AS THE HALIWA TRIBE AS THE HALIWA SAPONI TRIBE. (S.L. 1997-293)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Committee on Finance:

H.B. 752, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STATE AGENCIES TO ISSUE DUPLICATE LICENSES WITHOUT CHARGE WHEN THE ORIGINAL LICENSES ARE DESTROYED OR STOLEN DURING THE COMMISSION OF A CRIME, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

House Committee Substitute for **S.B. 426**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SPECIAL REGISTRATION LICENSE PLATES ON CERTAIN COMMERCIAL MOTOR VEHICLES AND TO PROVIDE SPECIAL REGISTRATION LICENSE PLATES FOR MAGISTRATES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **S.B. 660**, A BILL TO BE ENTITLED AN ACT TO LICENSE ATHLETIC TRAINERS, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 2 is placed on the Calendar. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representative Shubert, Co-Chair, for the Committee on Education:

Committee Substitute for **S.B. 19**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT STUDENTS MASTER THE BASICS AT ONE GRADE LEVEL BEFORE THEY ARE PROMOTED TO THE NEXT GRADE LEVEL, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Appropriations.

The House committee substitute bill is re-referred to the Committee on Appropriations. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Kiser, Vice Chair, for the Committee on Judiciary II:

Senate Committee Substitute for **H.B. 1059**, A BILL TO BE ENTITLED AN ACT TO AMEND THE COASTAL AREA MANAGEMENT ACT TO ALLOW CERTAIN TYPES OF REDEVELOPMENT WITHIN URBAN WATERFRONTS THAT HISTORICALLY HAVE A PATTERN OF URBAN-LEVEL DEVELOPMENT, with recommendation that the House concur.

The bill is placed on the Calendar of July 15.

By Representatives Miner, Berry, Church, Hiatt, and Tallent, Co-Chairs, for the Committee on Commerce:

H.B. 257, A BILL TO BE ENTITLED AN ACT TO PROVIDE A TAX CREDIT FOR RAILROADS PROVIDING INCREASED SERVICE TO THE NORTH CAROLINA STATE PORTS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

S.B. 531, A BILL TO BE ENTITLED AN ACT TO REQUIRE STATE GOVERNMENT AGENCIES TO REDUCE THE NUMBER OF MENUS ON AUTOMATED PHONE SYSTEMS THAT CALLERS MUST GO THROUGH BEFORE CONNECTING TO A PERSON AND TO ALLOW ACCESS TO AN ATTENDANT OR OPERATOR ON THE FIRST MENU, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar of July 15. The original bill is placed on the Unfavorable Calendar.

By Representatives Eddins, Hill, and Watson, Co-Chairs, for the Committee on Environment:

H.B. 274, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE TAKING OF FISH IN INTERNAL COASTAL WATERS BY TRAWLING AND THE USE OF CERTAIN TYPES OF NETS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The committee substitute bill is re-referred to the committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

By Representative Hill for the Permanent Subcommittee on Local, Regional, and State Revenues of the Standing Committee on Finance, with approval of standing committee co-chairs for report to be made directly to the floor of the House:

Committee Substitute for **S.B. 711**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF LELAND, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representatives Hardy and Daughtry, Co-Chairs, for the Committee on Judiciary I:

Committee Substitute for **S.B. 30**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR SPEEDING IN A HIGHWAY WORK ZONE TO TWO HUNDRED FIFTY DOLLARS, AND TO PROVIDE THAT THE SAFE DRIVER INCENTIVE PLAN EXCEPTION FOR VIOLATIONS OF SPEEDING TEN MILES PER HOUR OR LESS OVER THE SPEED LIMIT SHALL NOT APPLY TO SPEEDING IN A HIGHWAY WORK ZONE, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 571, A BILL TO BE ENTITLED AN ACT TO PLACE ON THE SCHEDULE II CONTROLLED SUBSTANCES LIST THE DRUG REMIFENTANIL AND SALTS THEREOF, IN ACCORDANCE WITH FEDERAL LAW, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 919, A BILL TO BE ENTITLED AN ACT TO REQUIRE DISCONTINUATION OF TELECOMMUNICATIONS SERVICES USED FOR UNLAWFUL PURPOSE, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar of July 15. The original bill is placed on the Unfavorable Calendar.

By Representatives Baker, Mitchell, and Carpenter, Co-Chairs, for the Permanent Subcommittee on Natural and Economic Resources of the Standing Committee on Appropriations, with approval of standing committee co-chairs for report to be made directly to the floor of the House:

Committee Substitute for **H.B. 565**, A BILL TO BE ENTITLED AN ACT TO CHANGE SEVERAL LAWS AFFECTING WAKE COUNTY, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

SUBCOMMITTEE REFERRAL

Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Standing Committee on Finance, refer Committee Substitute for **S.B. 578**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF MOUNT AIRY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, to the Permanent Subcommittee on Local, Regional, and State Revenues.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Daughtry and Creech:

H.J.R. 1239, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF BARNEY PAUL WOODARD, FORMER MEMBER OF THE GENERAL ASSEMBLY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Hackney and Hurley:

H.J.R. 1240, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF DAVID E. REYNOLDS, FORMER EXECUTIVE DIRECTOR OF THE NORTH CAROLINA LEAGUE OF MUNICIPALITIES, is referred to the Committee on Rules, Calendar, and Operations of the House.

MESSAGE FROM THE SENATE

The following is received from the Senate:

H.B. 646, A BILL TO BE ENTITLED AN ACT TO REVISE THE UNIFORM COMMERCIAL CODE TO ESTABLISH A PRODUCTION MONEY SECURITY INTEREST IN CROPS THAT HAS PRIORITY OVER OTHER SECURITY INTERESTS, is returned for concurrence in two Senate amendments and placed on the Calendar of July 15.

INTRODUCTION OF PAGES

Pages for the week of July 14 are introduced to the membership. They are: Tracy Demar Avery of Wake; David Alexander Avila of Wake; Carson D. Copeland of Guilford; Cora Emily Dalton of Cumberland; Nathan Wesley Dalton of Gaston; Laura Taylor Gable of Wayne; Timothy Wayne Johnson of Edgecombe; Judy R. Jones of Cumberland; Terrance Jermaine Jones of Wake; Tiffany Monique Jones of Nash; Susan Elizabeth Kennedy of Duplin; Joseph Wayne King, II, of Cleveland; Andrea N. Kotnik of Carteret; Sara Elisabeth Kyle of Cumberland; Stephanie Helon Lampe of Caldwell; Daniel Seth McDonald of Cabarrus; Christopher Moore of Wake; Erin Lee Nealy of Robeson; Janet Marie Outlaw of Craven; Emily Elizabeth Pickett of Pitt; Zachary Christopher Priddy of Guilford; James McGaughey Rich, III, of Randolph; Elton Maurice Roberts of Craven; and Lauren Elizabeth Wyrick of Pitt.

CONFERENCE REPORT

Representative Weatherly moves the adoption of the following Conference Report.

Senate Committee Substitute for H.B. 484

To: The President of the Senate
The Speaker of the House of Representatives

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 484, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE RECORDATION OF NOTICES OF OPEN DUMPS IN THE OFFICE OF THE REGISTER OF DEEDS, Senate Agriculture/Environment/Natural Resources Committee Substitute Adopted 5/29/97, Third Edition Engrossed 6/5/97, submit the following report:

The House of Representatives concurs in House Bill 484, Senate Agriculture/Environment/Natural Resources Committee Substitute Adopted 5/29/97 Third Edition Engrossed 6/5/97.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: 9 July 1997.

*Conferees for the
Senate*

*Conferees for the
House of Representatives*

S/ Charles W. Albertson, Chair
S/ Hamilton C. Horton, Jr.
S/ Donald R. Kincaid
S/ Fountain Odom

S/ John Weatherly, Chair
S/ Arlie F. Culp
S/ Joe Hackney
S/ Foyle Hightower
S/ Daniel McComas

The Conference Report is adopted, by electronic vote (98-4), and the Senate is so notified by Special Message.

The Senate having previously adopted the Conference Report, the Speaker orders the bill enrolled and presented to the Governor.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 773**, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE VILLAGE OF BALD HEAD ISLAND.

On motion of Representative Redwine, the House does not concur in the material Senate committee substitute on its second roll call reading, by the following vote, and conferees are requested.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baker, Barbee, Beall, Berry, Black, Blue, Bowie, Boyd-McIntyre, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Decker, Dedmon, Dickson, Dockham, Earle, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Morgan, Mosley, Nichols, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Reynolds, Rogers, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Thompson, Tolson, Wainwright, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 102.

Voting in the negative: None.

Excused absences: Representatives Aldridge, Baddour, Bonner, Davis, Hightower, Moore, Morris, Neely, Russell, and Sutton - 10.

The Speaker appoints Representative Hill, Chair; Representatives Decker, Ellis, and Redwine as conferees on the part of the House and the Senate is so notified by Special Message.

Senate Committee Substitute for **H.B. 739**, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN AND CLARIFY THE DEALERS AND MANUFACTURERS LICENSING LAW.

On motion of Representative Dickson, the House concurs in the Senate committee substitute, by electronic vote (103-0), and the bill is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 248**, A BILL TO BE ENTITLED AN ACT TO CREATE THE BROUGHTON HOSPITAL JOINT SECURITY

FORCE AND TO AMEND THE LAW ESTABLISHING THE BLACK MOUNTAIN JOINT SECURITY FORCE.

Representative Buchanan offers Amendment No. 1 which is adopted by electronic vote (98-2).

The bill, as amended, passes its second reading, by electronic vote (103-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 1187**, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN COUNTY AND CITY PURCHASES FROM STATE AND LOCAL SALES TAX.

Representative Shubert offers Amendment No. 1.

Representative Shubert withdraws her amendment.

The bill passes its second reading by electronic vote (104-2).

Representative Hensley objects to the third reading. The bill remains on the Calendar.

Committee Substitute for **S.B. 378**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ALAMANCE, CASWELL AND ROCKINGHAM COUNTIES TO CONTRACT FOR THE SUPERVISION OF WORKING PRISONERS BY EMPLOYEES OF ANOTHER UNIT OF STATE OR LOCAL GOVERNMENT.

The bill, as amended, passes its third reading, by electronic vote (104-0), and is ordered sent to the Senate for concurrence in House amendment.

Committee Substitute for **H.B. 480**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA WOMENWORK FUND FOR DISPLACED HOMEMAKERS TO BE ADMINISTERED BY THE NORTH CAROLINA COUNCIL FOR WOMEN, AND TO ESTABLISH AN ADDITIONAL CIVIL ACTION FEE TO BE COLLECTED BY THE COURT IN DIVORCE ACTIONS.

Representative Ellis offers Amendment No. 2.

Representative Goodwin raises a point of order regarding a title change in the amendment.

Representative Ellis withdraws his amendment.

On motion of Representative Creech, the bill is withdrawn from the Calendar, ordered engrossed, and re-referred to the Committee on Appropriations by electronic vote (57-48).

Committee Substitute No. 2 for **H.B. 1110**, A BILL TO BE ENTITLED AN ACT AMENDING THE STATUTES RELATED TO LANDSCAPE ARCHITECTS.

Representative McMahan offers Amendment No. 1 which is adopted by electronic vote (105-0).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Arnold, Baker, Barbee, Beall, Berry, Bowie, Boyd-McIntyre, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hensley, Hiatt, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Morgan, Mosley, Nesbitt, Nichols, Nye, Oldham, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 97.

Voting in the negative: Representatives Allred, Black, Blue, Fitch, Hardy, Owens, Wilkins, and Wood - 8.

Excused absences: Representatives Aldridge, Baddour, Bonner, Davis, Hightower, Moore, Morris, Neely, Russell, and Sutton - 10.

On motion of Representative Morgan, seconded by Representative Earle, the House adjourns at 6:54 p.m. to reconvene July 15 at 10:00 a.m.

NINETY-SIXTH DAY**HOUSE OF REPRESENTATIVES**

Tuesday, July 15, 1997

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain.

"Almighty God, You are the giver of every good and perfect gift. We pause in this moment of prayer to say good morning to You, to thank You for this new day, and to begin our day by acknowledging Your sovereignty over our lives.

"Lord, You are the only One who can break down every barrier that divides us. Last evening, You heard the pleas of our leaders to hurry the process of settling the budget. O God, You know what is in our hearts, and You know what motivates our every thought and course of action. As we all seek to be patient in the political process, we pray earnestly that whatever barriers that continue to divide us be broken by Your love and by Your Spirit; that whatever seeks to divide us would be destroyed and that we would come together in unanimity with purpose and resolve to better serve Your people whom You have placed in our care.

"We know that leadership and responsibility are not tasks which are easy and that they can carry burdens which are often heavy. But, teach us, O God, that discernment is not a human attribute, but rather a spiritual gift. We pray that the Holy Spirit of God would breathe upon every committee, that gift, so that when our work is complete, we can rest with the knowledge that we have responded to God's people with a pure heart. Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 14 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (94-2).

Leaves of absence are granted Representatives Davis, Moore, Russell, and Sutton for today. Representatives Baddour and Hensley are excused for a portion of the session.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

S.B. 625, AN ACT TO MAKE SPEEDING IN EXCESS OF THE POSTED SPEED ON SCHOOL GROUNDS AN INFRACTION AND TO INCREASE THE PENALTY FOR SPEEDING IN A SCHOOL ZONE.

S.B. 921, AN ACT TO EXEMPT LICENSED NONPROFIT CONTINUING CARE FACILITIES FROM THE LICENSURE REQUIREMENTS OF THE NORTH CAROLINA CHARITABLE SOLICITATIONS ACT.

H.B. 484, AN ACT TO PROVIDE FOR THE RECORDATION OF NOTICES OF OPEN DUMPS IN THE OFFICE OF THE REGISTER OF DEEDS.

H.B. 739, AN ACT TO STRENGTHEN AND CLARIFY THE DEALERS AND MANUFACTURERS LICENSING LAW.

ENROLLED BILL

The following bill is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 675, AN ACT AUTHORIZING A ONE-STEP SERVICE PROCESS IN SPECIFIED HOUSING CODE CASES IN THE CITY OF ROCKY MOUNT.

CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

H.B. 42, AN ACT TO EXTEND AN ACT TO PROVIDE THAT THE LAWS RELATING TO MOTOR VEHICLES APPLY WITHIN THE CAROLINA TRACE COMMUNITY IN LEE COUNTY AND TO EXTEND THE APPLICATION OF THAT ACT TO THE LAKE ROYALE COMMUNITY IN FRANKLIN AND NASH COUNTIES. (S.L. 1997-294)

H.B. 340, AN ACT PROVIDING THAT THE CITY OF KANNAPOLIS MAY CONDEMN OR ACQUIRE PROPERTY IN ROWAN COUNTY WITHOUT THE CONSENT OF THE ROWAN COUNTY BOARD OF COMMISSIONERS. (S.L. 1997-295)

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representative Decker for the Committee on Local and Regional Government II:

S.B. 534, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF PLEASANT GARDEN, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 299**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO DEVELOP SPECIAL MOTOR VEHICLE REGISTRATION PLATES FOR VIETNAM VETERANS, AND TO PROVIDE THAT THE TEN-DOLLAR ADDITIONAL FEE CHARGED FOR THE PLATE WILL BE USED TO SUPPORT THE NORTH CAROLINA VETERANS HOME, is returned for concurrence in Senate committee substitute and placed on the Calendar of July 16.

Upon concurrence, the Senate committee substitute changes the title.

Senate Committee Substitute for **H.B. 1044**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COUNTIES TO DESIGNATE AN OFFICIAL TO RECEIVE SALES TAX REFUND INFORMATION, is returned for concurrence in Senate committee substitute and placed on the Calendar of July 16.

Senate Committee Substitute for **H.B. 1052**, A BILL TO BE ENTITLED AN ACT TO ALLOW INSURERS TO LIMIT OR EXCLUDE EXCESS LIABILITY COVERAGE FOR UNINSURED AND UNDERINSURED MOTORISTS AS PROVIDED BY LAW, is returned for concurrence in Senate committee substitute and referred to the Committee on Insurance.

Upon concurrence, the Senate committee substitute changes the title.

CALENDAR

Action is taken on the following:

H.B. 646, A BILL TO BE ENTITLED AN ACT TO REVISE THE UNIFORM COMMERCIAL CODE TO ESTABLISH A PRODUCTION MONEY SECURITY INTEREST IN CROPS THAT HAS PRIORITY OVER OTHER SECURITY INTERESTS.

On motion of Representative Daughtry, the House concurs in Senate Amendment No. 1 by electronic vote (101-0).

On motion of Representative Daughtry, the House concurs in Senate Amendment No. 2, by electronic vote (104-0), and the bill is ordered enrolled and presented to the Governor.

Senate Committee Substitute for **H.B. 1059**, A BILL TO BE ENTITLED AN ACT TO AMEND THE COASTAL AREA MANAGEMENT ACT TO ALLOW CERTAIN TYPES OF REDEVELOPMENT WITHIN URBAN WATERFRONTS THAT HISTORICALLY HAVE A PATTERN OF URBAN-LEVEL DEVELOPMENT.

On motion of Representative Wright, the House concurs in the Senate committee substitute, by electronic vote (109-3), and the bill is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 994**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE DIRECT SHIPMENT OF ALCOHOLIC BEVERAGES TO CONSUMERS IN NORTH CAROLINA.

Representative Daughtry requests that he be excused from voting on this bill under Rule 24.1A, because he owns stock in a corporation that this bill affects, and this request is granted.

On motion of Representative Wilkins, the bill is temporarily displaced.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 234**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE STATUTORY AMOUNTS THAT DETERMINE THE ASSESSMENT OF SAFE DRIVER INCENTIVE PLAN POINTS

AND TO PROVIDE FOR A GRADUATED INSURANCE POINT AND SURCHARGE SCHEDULE FOR BODILY INJURY CAUSED IN AUTOMOBILE ACCIDENTS, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 254**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT DISCRIMINATION IN HEALTH INSURANCE AND EMPLOYMENT BASED ON GENETIC INFORMATION.

Representative Dickson offers Amendment No. 1 which is adopted by electronic vote (111-0).

Representative Dickson offers Amendment No. 2 which is adopted by electronic vote (111-0).

The bill, as amended, passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 562, A BILL TO BE ENTITLED AN ACT TO INCREASE THE AMOUNT OF THE PROCESSING FEE CHARGED FOR RETURNED CHECKS, passes its second reading, by electronic vote (95-18), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

Committee Substitute No. 2 for **H.B. 1110**, A BILL TO BE ENTITLED AN ACT AMENDING THE STATUTES RELATED TO LANDSCAPE ARCHITECTS.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Miller, Miner, Mitchell, Morgan, Morris, Mosley, Neely, Nesbitt, Nye, Oldham, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Wright, and Yongue - 103.

Voting in the negative: Representatives Blue, Brown, Fitch, Hardy, Owens, and Wood - 6.

Excused absences: Representatives Davis, Hensley, Moore, Russell, and Sutton - 5.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 577**, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE REGISTRATION REQUIREMENT FOR FORESTERS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Bonner, Bowie, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtry, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hardaway, Hardy, Hiatt, Hill, Holmes, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Saunders, Sexton, Sherrill, Shubert, Smith, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Wright, and Yongue - 103.

Voting in the negative: Representatives Blue, Boyd-McIntyre, Creech, Hightower, Starnes, and Wood - 6.

Excused absences: Representatives Davis, Hensley, Moore, Russell, and Sutton - 5.

Committee Substitute for **H.B. 1187**, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN COUNTY AND CITY PURCHASES FROM STATE AND LOCAL SALES TAX.

Representative Shubert offers Amendment No. 2 which is ruled to be material, thus constituting its first reading.

Amendment No. 2 is adopted by the following vote.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hiatt, Hightower, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Wood, Wright, and Yongue - 109.

Voting in the negative: Representative Hill.

Excused absences: Representatives Davis, Hensley, Moore, Russell, and Sutton - 5.

Representative Decker offers Amendment No. 3.

Representative Decker withdraws his amendment.

The bill, as amended, remains on the Calendar for its second roll call reading.

House Committee Substitute for **S.B. 320**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE ESTABLISHMENT OF PROGRAMS TO TRAIN LICENSED REGISTERED NURSES TO CONDUCT MEDICAL EXAMINATIONS OF VICTIMS OF SEXUAL OFFENSES, TO CONDUCT MEDICAL PROCEDURES TO COLLECT EVIDENCE FROM THE VICTIMS, AND TO ALLOW DIRECT PAYMENT TO NURSES WHO PROVIDE THIS SERVICE.

On motion of Representative Hurley and without objection, consideration of the bill is postponed until July 22.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 1126**, A BILL TO BE ENTITLED AN ACT TO EXEMPT LOCAL PAY PHONE SERVICES FROM SALES TAX, passes its second reading by electronic vote (104-6).

Representative Fitch objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute No. 2 for **H.B. 502**, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF MOTOR VEHICLE TO INCLUDE PERSONAL WATERCRAFT AND ALL TERRAIN VEHICLES SOLD BY DEALERS OTHERWISE SUBJECT TO THE MOTOR VEHICLE DEALER AND MANUFACTURERS LICENSING LAW.

On motion of Representative Ellis and without objection, consideration of the bill is postponed until July 17.

CONFERENCE REPORTS

Representative C. Wilson sends forth the Conference Report on House Committee Substitute for **S.B. 429**, A BILL TO BE ENTITLED AN ACT CLARIFYING LANGUAGE CONCERNING ATTENDANCE AND PARTICIPATION OF ALTERNATES ON THE CHARLOTTE CIVIL SERVICE BOARD AND ALLOWING THE CITY OF CHARLOTTE TO DISCLOSE LIMITED PERSONNEL INFORMATION CONCERNING THE DISPOSITION OF DISCIPLINARY CHARGES AGAINST POLICE OFFICERS. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of July 16.

Representative Alexander sends forth the Conference Report on House Committee Substitute for **S.B. 556**, A BILL TO BE ENTITLED AN ACT REGARDING REQUIREMENTS FOR SPRINKLER SYSTEMS IN FRATERNITY AND SORORITY HOUSES WITHIN THE CITIES OF CHARLOTTE AND GREENSBORO, AND WITHIN THEIR EXTRA-TERRITORIAL PLANNING JURISDICTION. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of July 16.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from permanent subcommittee is presented:

By Representatives Mitchell, Baker, and Carpenter, Co-Chairs, for the Permanent Subcommittee on Natural and Economic Resources of the Standing Committee on Appropriations, with approval of standing committee co-chairs for report to be made directly to the floor of the House.

H.B. 1011, A BILL TO BE ENTITLED AN ACT TO CREATE THE LOW PRESSURE PIPE NETWORK REPLACEMENT EMERGENCY FUND, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

SUBCOMMITTEE REFERRALS

Representatives Holmes, Creech, Esposito, and Crawford, Co-Chairs, for the Standing Committee on Appropriations, refer the following bills to the Permanent Subcommittee on General Government.

Committee Substitute for **H.B. 480**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA WOMENWORK FUND FOR DISPLACED HOMEMAKERS TO BE ADMINISTERED BY THE NORTH CAROLINA COUNCIL FOR WOMEN, AND TO ESTABLISH AN ADDITIONAL CIVIL ACTION FEE TO BE COLLECTED BY THE COURT IN DIVORCE ACTIONS; and

Committee Substitute No. 2 for **H.B. 665**, A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIME VICTIMS' RIGHTS ACT, TO ASSIST VICTIMS OF DOMESTIC VIOLENCE, TO ALLOW THE ENFORCEMENT OF ORDERS FOR RESTITUTION IN CRIMINAL

CASES IN THE SAME MANNER AS CIVIL JUDGMENTS, TO CREATE AN EXCEPTION TO THE STATUTORY EXEMPTIONS FOR EXECUTION OF RESTITUTION JUDGMENTS, AND TO CHANGE THE ORDER OF PRIORITY FOR DISBURSEMENT OF FUNDS IN CRIMINAL CASES.

RE-REFERRALS

On motion of Representative Neely and without objection, House Committee Substitute for **S.B. 253**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE REGISTRATION OF TELEPHONIC SELLERS IN NORTH CAROLINA, AND TO MAKE THE OFFERING OF TELEPHONE SALES RECOVERY SERVICES A CRIMINAL OFFENSE, is withdrawn from the Committee on Judiciary II and re-referred to the Committee on Finance.

On motion of Representative Miner and without objection, **S.B. 837**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE PERMITS TO SPORTS CLUBS, is withdrawn from the Committee on Commerce and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Morgan, seconded by Representative Mercer, the House adjourns at 11:22 a.m. to reconvene July 16 at 10:00 a.m.

NINETY-SEVENTH DAY

HOUSE OF REPRESENTATIVES

Wednesday, July 16, 1997

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain.

"God of holiness, we come this morning in prayer to ask for Your blessings and Your guidance upon this Body of women and men. Holiness

means to seek to have the mind of God and then to establish one's behavior patterns and actions, not upon earthly things, but upon the foundations of heaven. All of us ought to seek to be holy...to live holy lives...and to honor You with our lives. As men and women of leadership, this calling to be holy is magnified because of the responsibility given to us by Your people and ultimately, by You. Grant that in this hour and in our committees, in our comings and in our goings, we would pause to ask Your Holy Spirit to shape us and mold us into a holy people. We humbly beseech Thee, O Lord and our God. Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 15 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (94-1).

Leaves of absence are granted Representatives Davis, Hardaway, Moore, and Womble for today. Representative Brawley is excused for a portion of the session.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representatives Ives, McCombs, and Sherrill, for the Permanent Subcommittee on General Government of the Standing Committee on Appropriations, with approval of standing committee co-chairs for report to be made directly to the floor of the House:

H.B. 745, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE STATE SHALL PAY THE COST OF ANY REQUIRED LEGAL ADVERTISING IT REQUIRES COUNTIES TO PLACE IN CONNECTION WITH ANY REFERENDUM PLACED ON THE BALLOT BY THE GENERAL ASSEMBLY, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar of July 17. The original bill is placed on the Unfavorable Calendar.

By Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Committee on Finance:

H.B. 1114, A BILL TO BE ENTITLED AN ACT TO ESTABLISH PILOT PROGRAMS IN WAKE AND ROCKINGHAM COUNTIES IN THE OFFICE OF THE DISTRICT ATTORNEY FOR THE COLLECTION OF WORTHLESS CHECKS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **H.B. 1231**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SUPPLEMENTAL SOURCES OF REVENUE FOR LOCAL GOVERNMENT TRANSIT FINANCING, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

Committee Substitute Bill No. 2 is ruled to be material, thus constituting its first reading.

Committee Substitute for **S.B. 374**, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM SALES AND USE TAX NUTRITIONAL SUPPLEMENTS SOLD BY CHIROPRACTORS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

House Committee Substitute for **S.B. 847**, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM SALES AND USE TAX REUSABLE INDUSTRIAL CONTAINERS USED AS PACKAGING FOR TANGIBLE PERSONAL PROPERTY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **S.B. 861**, A BILL TO BE ENTITLED AN ACT AMENDING THE DISPENSING OPTICIANS ACT, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

House Committee Substitute for **S.B. 884**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE DEPARTMENT OF TRANSPORTATION TO ESTABLISH A STATE INFRASTRUCTURE BANK, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 2 is placed on the Calendar. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber

July 15, 1997

Mr. Speaker:

Pursuant to your message received Monday, July 14, 1997, that the House of Representatives fails to concur in the Senate Committee Substitute bill to **H.B. 773**, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE VILLAGE OF BALD HEAD ISLAND, which Senate Committee Substitute bill proposes to change the title, upon concurrence, to read **H.B. 773** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE VILLAGE OF BALD HEAD ISLAND AND TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF LELAND, and requests conferees, the President Pro Tempore appoints:

Senator Soles, Chairman

Senator Rand

Senator Jordan

Senator Cooper

Senator Carrington

on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE**1997 GENERAL ASSEMBLY**

Senate Chamber

July 15, 1997

Mr. Speaker:

Pursuant to the message from the Senate on Tuesday, July 8, 1997, informing the House of Representatives that the Senate failed to concur in the House Committee Substitute bill to **S.B. 143** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS PROHIBITING THE SALE OR PURCHASE OF TOBACCO PRODUCTS TO PERSONS LESS THAN EIGHTEEN YEARS OF AGE AND TO REQUIRE THAT CERTAIN PERSONS BE TRAINED REGARDING THESE LAWS, which House Committee Substitute bill proposes to change the title, upon concurrence, to read **S.B. 143** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE SALE OR PURCHASE OF TOBACCO PRODUCTS TO PERSONS LESS THAN EIGHTEEN YEARS OF AGE AND TO REQUIRE THAT CERTAIN PERSONS BE TRAINED REGARDING THESE LAWS, it is ordered that a message be sent your Honorable Body with the information that the Senate requests conferees. The President Pro Tempore appoints:

Senator Rand, Chairman

Senator Dalton

Senator Lucas

Senator Forrester

Senator Rucho

on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,

S/ Janet B. Pruitt

*Principal Clerk***SPECIAL MESSAGE FROM THE SENATE****1997 GENERAL ASSEMBLY**

Senate Chamber

July 15, 1997

Mr. Speaker:

On **S.B. 429**, A BILL TO BE ENTITLED AN ACT CLARIFYING LANGUAGE CONCERNING ATTENDANCE AND PARTICIPATION OF ALTERNATES ON THE CHARLOTTE CIVIL SERVICE BOARD, which proposes to change the title, upon concurrence, to read **S.B. 429** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT CLARIFYING LANGUAGE CONCERNING ATTENDANCE AND PARTICIPATION OF ALTERNATES ON THE CHARLOTTE CIVIL SERVICE BOARD AND ALLOWING THE CITY OF CHARLOTTE TO DISCLOSE LIMITED PERSONNEL INFORMATION CONCERNING THE DISPOSITION OF DISCIPLINARY CHARGES AGAINST POLICE OFFICERS, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees to the end that when a similar action has been taken on the part of your Honorable Body, the President will order the bill enrolled.

Respectfully,

S/ Janet B. Pruitt

Principal Clerk

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 275**, A BILL TO BE ENTITLED AN ACT TO REDUCE DUPLICATION OF WORK BETWEEN THE OFFICE OF STATE PERSONNEL AND OTHER AGENCIES, DEPARTMENTS, AND INSTITUTIONS BY THE DELEGATION OF AUTHORITY OF CERTAIN FUNCTIONS FROM THE OFFICE OF STATE PERSONNEL TO THOSE AGENCIES, DEPARTMENTS, AND INSTITUTIONS, is returned for concurrence in Senate committee substitute and placed on the Calendar of July 17.

Senate Committee Substitute for **H.B. 699**, A BILL TO BE ENTITLED AN ACT TO GRANT AUTHORITY TO THE TOWN OF NEWPORT TO ADDRESS ABANDONED STRUCTURES IN THE SAME MANNER AS MUNICIPALITIES IN COUNTIES WITH A POPULATION OF OVER ONE HUNDRED SIXTY-THREE THOUSAND, is returned for concurrence in Senate committee substitute and referred to the Committee on Rules, Calendar, and Operations of the House.

Upon concurrence, the Senate committee substitute changes the title.

Senate Committee Substitute for **H.B. 761**, A BILL TO BE ENTITLED AN ACT TO ALLOW HILLSBOROUGH TO CONTRACT FOR INSPECTION SERVICES, is returned for concurrence in Senate committee substitute and referred to the Committee on Rules, Calendar, and Operations of the House.

Upon concurrence, the Senate committee substitute changes the title.

SPECIAL MESSAGE TO THE SENATE

The Chair orders a Special Message be sent to the Senate informing that Honorable Body that the House stands ready to receive them in Joint Session.

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
July 16, 1997

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives that pursuant to **H.J.R. 1054**, A JOINT RESOLUTION PROVIDING FOR A JOINT SESSION OF THE GENERAL ASSEMBLY TO ACT ON A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THE APPOINTMENTS BY THE GOVERNOR OF NEW MEMBERS TO THE STATE BOARD OF EDUCATION, the Senate stands ready to repair to the Hall of the House, there to sit in Joint Session with your Honorable Body.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

JOINT SESSION

Pursuant to resolution heretofore adopted, and exchange of messages, the Deputy Sergeant-at-Arms of the House announces the arrival of the Senate at the door of the House.

The Speaker directs the admittance of that Honorable Body and its officers. The President of the Senate, the Honorable Dennis A. Wicker, is seated to the right of the Speaker.

The Joint Session is called to order by the Speaker of the House.

The Speaker directs an electronic vote be taken of the House of Representatives to determine a quorum and the following Representatives are recorded as present: Speaker Brubaker; Representatives Adams, Aldridge, Alexander, Baddour, Baker, Barbee, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hall, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Jeffus, Kiser, Luebke, McComas, McCombs, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Rayfield, Redwine, Reynolds, Russell, Saunders, Sexton, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, Wood, Wright, and Yongue - 99.

The Speaker directs the Reading Clerk of the Senate to call the roll to determine a quorum and the following Senators answer present: Senators Allran, Ballance, Ballantine, Basnight, Blust, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Dalton, Dannelly, East, Forrester, Foxx, Garwood, Gulley, Hartsell, Horton, Hoyle, Jenkins, Jordan, Kincaid, Ledbetter, Lee, Lucas, Martin of Guilford, McDaniel, Miller, Odom, Page, Perdue, Phillips, Plyler, Rand, Reeves, Rucho, Shaw of Cumberland, Shaw of Guilford, Soles, Warren, Webster, Weinstein, Wellons, and Winner - 46.

A quorum of each Chamber being declared present, the Joint Session proceeds with its business.

Pursuant to Rule 36(a), the following resolution appears on today's Calendar.

Committee Substitute for **H.J.R. 1004**, A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THE APPOINTMENTS OF EVELYN B. MONROE, JOHN R. LAURITZEN, AND JAY M. ROBINSON TO MEMBERSHIP ON THE STATE BOARD OF EDUCATION, is before the House of Representatives sitting in Joint Session.

The resolution passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

The Speaker relinquishes the gavel to the President of the Senate.

The President receives Committee Substitute for **H.J.R. 1004**, A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THE APPOINTMENTS OF EVELYN B. MONROE, JOHN R. LAURITZEN, AND JAY M. ROBINSON TO MEMBERSHIP ON THE STATE BOARD OF EDUCATION, from the House by Special Message.

On motion of Senator Winner, the Senate rules are suspended and the resolution is before the Body for immediate consideration.

The resolution passes its second reading with fifty Senators voting in the affirmative.

The resolution passes its third reading and is ordered enrolled.

CHAPTERED BILL

The following resolution is properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

H.J.R. 1004, A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THE APPOINTMENTS OF EVELYN B. MONROE, JOHN R. LAURITZEN, AND JAY M. ROBINSON TO MEMBERSHIP ON THE STATE BOARD OF EDUCATION. (RESOLUTION 22)

The President announces the confirmation of Evelyn B. Monroe, John R. Lauritzen, and Jay M. Robinson to the State Board of Education by the Senate and the House of Representatives.

The President orders that the Principal Clerks of the Senate and the House of Representatives notify the Governor of the actions taken by the General Assembly sitting in Joint Session today.

On motion of Senator Basnight, seconded by Representative Ramsey, the Joint Session is dissolved and the Senate returns to its Chamber.

The House resumes its business.

On motion of the Chair, the House recesses at 10:30 a.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

S.B. 141, AN ACT TO EXEMPT CERTAIN GOVERNMENTAL ENTITIES FROM STATE PURCHASE AND CONTRACT REQUIREMENTS.

S.B. 234, AN ACT TO INCREASE THE STATUTORY AMOUNTS THAT DETERMINE THE ASSESSMENT OF SAFE DRIVER INCENTIVE PLAN POINTS AND TO PROVIDE FOR A GRADUATED INSURANCE POINT AND SURCHARGE SCHEDULE FOR BODILY INJURY CAUSED IN AUTOMOBILE ACCIDENTS.

S.B. 248, AN ACT TO CREATE THE BROUGHTON HOSPITAL JOINT SECURITY FORCE AND TO AMEND THE LAW ESTABLISHING THE BLACK MOUNTAIN JOINT SECURITY FORCE.

S.B. 251, AN ACT TO MODIFY THE COMMON LAW TO PERMIT THE CREATION OF EASEMENTS, RESTRICTIONS, AND COVENANTS BY A LANDOWNER.

S.B. 562, AN ACT TO INCREASE THE AMOUNT OF THE PROCESSING FEE CHARGED FOR RETURNED CHECKS.

S.B. 1059, AN ACT TO ENSURE THAT DEALER PLATES ARE USED ONLY ON VEHICLES DRIVEN FOR A BUSINESS PURPOSE OF THE DEALERSHIP AND TO LIMIT THE NUMBER OF TRANSPORTER PLATES THAT MAY BE ISSUED TO A DEALER.

H.B. 646, AN ACT TO REVISE THE UNIFORM COMMERCIAL CODE TO ESTABLISH A PRODUCTION MONEY SECURITY INTEREST IN CROPS THAT HAS PRIORITY OVER OTHER SECURITY INTERESTS.

H.B. 1059, AN ACT TO AMEND THE COASTAL AREA MANAGEMENT ACT TO ALLOW CERTAIN TYPES OF REDEVELOPMENT WITHIN URBAN WATERFRONTS THAT HISTORICALLY HAVE A PATTERN OF URBAN-LEVEL DEVELOPMENT.

ENROLLED BILL

The following bill is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 378, AN ACT TO AUTHORIZE ALAMANCE, CASWELL AND ROCKINGHAM COUNTIES TO CONTRACT FOR THE SUPERVISION OF WORKING PRISONERS BY EMPLOYEES OF ANOTHER UNIT OF STATE OR LOCAL GOVERNMENT.

CHAPTERED BILL

The following bill is properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

H.B. 675, AN ACT AUTHORIZING A ONE-STEP SERVICE PROCESS IN SPECIFIED HOUSING CODE CASES IN THE CITY OF ROCKY MOUNT. (S.L. 1997-296)

CONFERENCE REPORT

Representative C. Wilson moves the adoption of the following Conference Report.

House Committee Substitute for S.B. 429

To: The President of the Senate

The Speaker of the House of Representatives

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 429, A BILL TO BE ENTITLED AN ACT CLARIFYING LANGUAGE CONCERNING ATTENDANCE AND PARTICIPATION OF ALTERNATES ON THE CHARLOTTE CIVIL SERVICE BOARD AND ALLOWING THE CITY OF CHARLOTTE TO DISCLOSE LIMITED PERSONNEL INFORMATION CONCERNING THE DISPOSITION OF DISCIPLINARY CHARGES AGAINST POLICE OFFICERS, House Committee Substitute Favorable 5/29/97, submit the following report:

The Senate concurs on the House Committee Substitute with the following amendments:

on page 3, line 29 by adding after the period the following language:

"Board members shall maintain as confidential all personnel information to which they gain access as a member of the Board. Each member of the Board shall execute and adhere to a Confidentiality Agreement that is satisfactory to the City.";

and on page 3, lines 31 and 32 by rewriting those lines to read:

"sustained, not sustained, unfounded, exonerated, classified as an information file, or classified as any other disciplinary disposition category subsequently adopted by the Charlotte-Mecklenburg Police Department. In the event that the citizens' review board hears".

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 10, 1997.

*Conferees for the
Senate*

S/ Fountain Odom
S/ Robert Rucho
S/ Leslie Winner

*Conferees for the
House of Representatives*

S/ Connie Wilson, Chair
S/ Martha Alexander
S/ Ed McMahan

The Conference Report is adopted by electronic vote (109-0), and the Senate is so notified by Special Message.

CONFERENCE REPORT

Representative Alexander withdraws the Conference Report on House Committee Substitute for **S.B. 556**, A BILL TO BE ENTITLED AN ACT REGARDING REQUIREMENTS FOR SPRINKLER SYSTEMS IN FRATERNITY AND SORORITY HOUSES WITHIN THE CITY OF CHARLOTTE AND WITHIN THE CITY'S EXTRATERRITORIAL PLANNING JURISDICTION.

Representative Alexander sends forth Conference Report No. 2 on House Committee Substitute for **S.B. 556**, A BILL TO BE ENTITLED AN

ACT REGARDING REQUIREMENTS FOR SPRINKLER SYSTEMS IN FRATERNITY AND SORORITY HOUSES WITHIN THE CITY OF CHARLOTTE AND WITHIN THE CITY'S EXTRATERRITORIAL PLANNING JURISDICTION. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of July 17.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 299**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO DEVELOP SPECIAL MOTOR VEHICLE REGISTRATION PLATES FOR VIETNAM VETERANS, AND TO PROVIDE THAT THE TEN-DOLLAR ADDITIONAL FEE CHARGED FOR THE PLATE WILL BE USED TO SUPPORT THE NORTH CAROLINA VETERANS HOME.

On motion of Representative Sexton, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (108-2), and the bill is ordered enrolled and presented to the Governor.

Senate Committee Substitute for **H.B. 1044**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COUNTIES TO DESIGNATE AN OFFICIAL TO RECEIVE SALES TAX REFUND INFORMATION.

On motion of Representative Rogers, the House concurs in the Senate committee substitute, by electronic vote (111-0), and the bill is ordered enrolled and presented to the Governor.

House Committee Substitute for **S.B. 531**, A BILL TO BE ENTITLED AN ACT TO REQUIRE STATE GOVERNMENT AGENCIES TO REDUCE THE NUMBER OF MENUS ON AUTOMATED PHONE SYSTEMS THAT CALLERS MUST GO THROUGH BEFORE CONNECTING TO A PERSON AND TO ALLOW ACCESS TO AN ATTENDANT OR OPERATOR ON THE FIRST MENU.

On motion of the Chair, the bill is temporarily displaced.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 919**, A BILL TO BE ENTITLED AN ACT TO REQUIRE DISCONTINUATION OF TELECOMMUNICATIONS

SERVICES USED FOR UNLAWFUL PURPOSE, passes its second reading by electronic vote (78-33).

Representative Miller objects to the third reading. The bill remains on the Calendar.

House Committee Substitute for **S.B. 531**, A BILL TO BE ENTITLED AN ACT TO REQUIRE STATE GOVERNMENT AGENCIES TO REDUCE THE NUMBER OF MENUS ON AUTOMATED PHONE SYSTEMS THAT CALLERS MUST GO THROUGH BEFORE CONNECTING TO A PERSON AND TO ALLOW ACCESS TO AN ATTENDANT OR OPERATOR ON THE FIRST MENU, which was temporarily displaced, is before the Body.

The bill passes its second reading, by electronic vote (109-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

Committee Substitute No. 2 for **H.B. 777**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF KINGS MOUNTAIN TO ANNEX CERTAIN NONCONTIGUOUS PROPERTY, PROHIBITING THE CITY FROM RESTRICTING RECREATIONAL USES OF MOSS LAKE, AND REQUIRING THE CITY TO CREATE AN AUTHORITY TO ADDRESS ISSUES RELATED TO MOSS LAKE.

On motion of Representative Morgan and without objection, the bill is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute No. 2 for **H.B. 631**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE FORMULA FOR DISTRIBUTING THE PROCEEDS OF THE FORSYTH COUNTY OCCUPANCY TAXES.

Representative Decker offers Amendment No. 1 which is adopted by electronic vote (109-0).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Wood, Wright, and Yongue - 109.

Voting in the negative: None.

Excused absences: Representatives Davis, Hardaway, Moore, and Womble - 4.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute No. 2 for **H.B. 859**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE BRUNSWICK COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, TO AUTHORIZE CERTAIN MUNICIPALITIES IN BRUNSWICK COUNTY TO LEVY OR INCREASE LOCAL OCCUPANCY TAXES, AND TO AUTHORIZE PERSON COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Arnold, Baddour, Barbee, Beall, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Brawley, Brown, Buchanan, Cansler, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Cunningham, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Morgan, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Smith, Starnes,

Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, Wright, and Yongue - 98.

Voting in the negative: Representatives Aldridge, Allred, Baker, Berry, Capps, Creech, Eddins, Hardy, Morris, Shubert, and G. Wilson - 11.

Excused absences: Representatives Davis, Hardaway, Moore, and Womble - 4.

Representative Sherrill states that her voting equipment malfunctioned and she requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (99-11).

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 711**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE INCORPORATION OF THE TOWN OF SWEPSONVILLE AND THE SIMULTANEOUS DISSOLUTION OF THE SWEPSONVILLE SANITARY DISTRICT.

Representative Allred offers Amendment No. 1 which is adopted by electronic vote (112-0).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Wood, Wright, and Yongue - 112.

Voting in the negative: None.

Excused absences: Representatives Davis, Hardaway, Moore, and Womble - 4.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute No. 2 for **H.B. 565**, A BILL TO BE ENTITLED AN ACT TO CHANGE SEVERAL LAWS AFFECTING WAKE COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

SUSPENSION OF RULES

On motion of Representative Michaux and without objection, Rule 31(a) is suspended and the following is introduced and read the first time:

By Representatives Michaux, Adams, Kinney, and Boyd-McIntyre:

H.J.R. 1241, A JOINT RESOLUTION INVITING DR. JOHN HOPE FRANKLIN TO ADDRESS A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE AND INVITING GOVERNOR JAMES B. HUNT, JR., is referred to the Committee on Rules, Calendar, and Operations of the House.

CONFEREES APPOINTED

The Speaker announces the following conferees on House Committee Substitute for **S.B. 143**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS PROHIBITING THE SALE OR PURCHASE OF TOBACCO PRODUCTS TO PERSONS LESS THAN EIGHTEEN YEARS OF AGE AND TO REQUIRE THAT CERTAIN PERSONS BE TRAINED REGARDING THESE LAWS: Representative Arnold, Chair; Representatives Hill, Hall, Fitch, and Cansler.

The Senate is so notified by Special Message.

CALENDAR (continued)

Committee Substitute for **H.B. 577**, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE REGISTRATION REQUIREMENT FOR FORESTERS, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Bonner, Bowie, Boyd-McIntyre, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtry, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardy, Hensley, Hiatt, Hill, Holmes, Howard, H. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Wright, and Yongue - 106.

Voting in the negative: Representatives Allred, Blue, Creech, Hightower, Starnes, and Wood - 6.

Excused absences: Representatives Davis, Hardaway, Moore, and Womble - 4.

Committee Substitute for **H.B. 1187**, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN COUNTY AND CITY PURCHASES FROM STATE AND LOCAL SALES TAX.

Representative Decker offers Amendment No. 4 which is adopted by electronic vote (112-0).

Representative Fitch moves that Rule 31(d) be suspended in order that he might offer Amendment No. 5.

Representative Brawley raises a point of order and inquires if the motion before the Body carries, would Rule 31.1(d2) (single-subject rule) also apply to the bill. The Speaker rules that it would.

The motion to suspend Rule 31(d) fails by electronic vote (50-59).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Brown, Buchanan, Cansler, Capps,

Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Daughtry, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gully, Hackney, Hall, Hardy, Hensley, Hiatt, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Wood, Wright, and Yongue - 111.

Voting in the negative: None.

Excused absences: Representatives Brawley, Davis, Hardaway, Moore, and Womble - 5.

Committee Substitute for **H.B. 1126**, A BILL TO BE ENTITLED AN ACT TO EXEMPT LOCAL PAY PHONE SERVICES FROM SALES TAX, passes its third reading, by electronic vote (107-4), and is ordered sent to the Senate.

Committee Substitute for **S.B. 994**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE DIRECT SHIPMENT OF ALCOHOLIC BEVERAGES TO CONSUMERS IN NORTH CAROLINA.

Pursuant to Rule 24.1A(c), the request that Representative Daughtry be excused from voting on July 15 is continued.

Representative Decker moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Commerce.

Without objection, the Speaker stops debate and attends to the following business.

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber

July 16, 1997

Mr. Speaker:

On **S.B. 556** (Committee Substitute), A BILL TO BE ENTITLED AN ACT REGARDING REQUIREMENTS FOR SPRINKLER SYSTEMS IN FRATERNITY AND SORORITY HOUSES WITHIN THE CITY OF CHARLOTTE AND WITHIN THE CITY'S EXTRATERRITORIAL PLANNING JURISDICTION, which House Committee Substitute proposes to change the title, upon concurrence, to read **S.B. 556** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT REGARDING REQUIREMENTS FOR SPRINKLER SYSTEMS IN FRATERNITY AND SORORITY HOUSES WITHIN THE CITIES OF CHARLOTTE AND GREENSBORO, AND WITHIN THEIR EXTRATERRITORIAL PLANNING JURISDICTION, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees, further changing the title to read **S.B. 556** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT REGARDING REQUIREMENTS FOR SPRINKLER SYSTEMS IN FRATERNITY AND SORORITY HOUSES WITHIN THE CITIES OF CHARLOTTE, GREENSBORO, AND RALEIGH AND WITHIN THEIR EXTRATERRITORIAL PLANNING JURISDICTION, to the end that when a similar action has been taken on the part of your Honorable Body, the President will order the bill enrolled.

Respectfully,
S/Janet B. Pruitt
Principal Clerk

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from permanent subcommittees are presented:

By Representative Hill for the Permanent Subcommittee on Local, Regional, and State Revenues of the Standing Committee on Finance, with approval of standing committee co-chairs for report to be made directly to the floor of the House:

Committee Substitute for **H.B. 566**, A BILL TO BE ENTITLED AN ACT EXEMPTING THE WAKE COUNTY PUBLIC SCHOOL SYSTEM FROM DEVELOPMENT CHARGES RELATED TO THE CONSTRUCTION, RENOVATION, AND REPAIR OF PUBLIC SCHOOL SYSTEM INFRASTRUCTURE FACILITIES IN WAKE COUNTY AND THE MUNICIPALITIES THEREIN, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of July 17.

Committee Substitute for **H.B. 568**, A BILL TO BE ENTITLED AN ACT TO ANNEX A CERTAIN DESCRIBED TERRITORY TO THE TOWN OF WAKE FOREST, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar of July 17. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

Committee Substitute for **H.B. 600**, A BILL TO BE ENTITLED AN ACT CLARIFYING THAT IN MODIFYING THE REQUIREMENTS FOR MAKING STREET ASSESSMENTS IN FOXFIRE VILLAGE UNDER CERTAIN CIRCUMSTANCES, UNDERGROUNDING OF UTILITIES, WHICH WAS PART OF THE PROJECT, IS ALSO SUBJECT TO ASSESSMENT, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of July 17.

House Committee Substitute for **S.B. 578**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF MOUNT AIRY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1, and recommendation that House Committee Substitute Bill No. 2 be re-referred to the Committee on Rules, Calendar, and Operations of the House.

House Committee Substitute Bill No. 2 is re-referred to the Committee on Rules, Calendar, and Operations of the House. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

RE-REFERRAL

On motion of Representative Miner and without objection, **S.B. 838**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH TOURISM RESORTS AND TO AUTHORIZE THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE PERMITS TO THESE ENTITIES, is withdrawn from the Committee on Commerce and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Morgan, seconded by Representative H. Hunter, the House adjourns at 12:45 p.m. to reconvene July 17 at 10:00 a.m.

NINETY-EIGHTH DAY

HOUSE OF REPRESENTATIVES

Thursday, July 17, 1997

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain.

"How lovely are Your dwelling places, O Lord our God. You rest in the heavens. You work through Your Church. You dwell in our hearts. Through You and because of You our lives are special gifts which inspire us to become like little children before Thee.

"Our days are filled with work and with laughter...with joy and with sadness...with toil and with sweat...with resolve and with purpose. This is, of course, why we are here...to work on Your behalf in a world which desperately needs You, but which often forgets about You.

"Teach us, O God, how to live by example. Teach us how to set an example of humility and servanthood; an example of commitment and purity; an example of selflessness and self-denial. These are the characteristics of heaven which we must seek to demonstrate, not just as leaders of government, but as true leaders of justice and peace and righteousness...

'Blessed are those who hunger and thirst for righteousness
for they shall see God'

...for Your name's sake, we pray and move and have our being. Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 16 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (89-0).

Leaves of absence are granted Representatives Baddour, Cansler, Daughtry, Gamble, McMahan, Moore, Starnes, and Womble for today.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

S.B. 943, AN ACT TO ENACT THE MEDICAL ASSISTANCE PROVIDER FALSE CLAIMS ACT.

H.B. 299, AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO DEVELOP SPECIAL MOTOR VEHICLE REGISTRATION PLATES FOR VIETNAM VETERANS.

H.B. 1044, AN ACT TO AUTHORIZE COUNTIES TO DESIGNATE AN OFFICIAL TO RECEIVE SALES TAX REFUND INFORMATION.

ENROLLED BILL

The following bill is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 429, AN ACT CLARIFYING LANGUAGE CONCERNING ATTENDANCE AND PARTICIPATION OF ALTERNATES ON THE CHARLOTTE CIVIL SERVICE BOARD AND ALLOWING THE CITY OF CHARLOTTE TO DISCLOSE LIMITED PERSONNEL INFORMATION CONCERNING THE DISPOSITION OF DISCIPLINARY CHARGES AGAINST POLICE OFFICERS.

CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

S.B. 910, AN ACT TO CHANGE THE STATUTE OF LIMITATIONS FOR ACTIONS ON OFFICIAL BONDS FROM SIX YEARS TO THREE YEARS. (S.L. 1997-297)

S.B. 996, AN ACT TO EXEMPT FROM THE PLUMBING LICENSURE REQUIREMENTS CERTAIN PERSONS PERFORMING ON-SITE ASSEMBLY OF FACTORY DESIGNED DRAIN SYSTEMS UNDERNEATH MANUFACTURED HOMES. (S.L. 1997-298)

H.B. 265, AN ACT TO MAKE STATEWIDE A LOCAL ACT ALLOWING COUNTIES TO ESTABLISH THE BOUNDARIES BETWEEN AND AMONG THEM BY THE USE OF ORTHOPHOTOGRAPHY. (S.L. 1997-299)

S.B. 784, AN ACT TO PROVIDE TAX RELIEF AND SIMPLIFICATION BY CONFORMING STATE TAX LAW TO THE FEDERAL RULE THAT GRANTS A FILING EXTENSION EVEN IF THE REQUEST IS NOT ACCOMPANIED BY PAYMENT. (S.L. 1997-300)

S.B. 263, AN ACT TO AMEND THE WORKERS' COMPENSATION ACT SO THAT NONRESIDENT ALIENS RECEIVE COMPENSATION EQUAL TO THAT RECEIVED BY OTHER WORKERS UNDER THE ACT. (S.L. 1997-301)

H.B. 533, AN ACT TO ADD "DIVISIBLE PROPERTY" AS A CATEGORY OF PROPERTY SUBJECT TO EQUITABLE DISTRIBUTION, TO CREATE A REBUTTABLE PRESUMPTION THAT AN IN-KIND DISTRIBUTION OF PROPERTY IS EQUITABLE, TO ENCOURAGE INTERIM DISTRIBUTION OF PROPERTY OR DEBT, AND TO ALLOW CERTAIN EVIDENCE OF THE VALUE OF MARITAL PROPERTY, AS RECOMMENDED BY THE FAMILY LAW SECTION OF THE NORTH CAROLINA BAR ASSOCIATION. (S.L. 1997-302)

S.B. 378, AN ACT TO AUTHORIZE ALAMANCE, CASWELL AND ROCKINGHAM COUNTIES TO CONTRACT FOR THE SUPERVISION OF WORKING PRISONERS BY EMPLOYEES OF ANOTHER UNIT OF STATE OR LOCAL GOVERNMENT. (S.L. 1997-303)

H.B. 1122, AN ACT TO FACILITATE THE TRIAL OF DRUG OFFENSES BY AUTHORIZING THE USE OF LABORATORY REPORTS IN SUPERIOR COURT AND JUVENILE COURT PROCEEDINGS AND BY ELIMINATING THE NEED FOR UNNECESSARY WITNESSES IN ESTABLISHING A CHAIN OF CUSTODY WHEN THE DEFENDANT DOES NOT TIMELY OBJECT TO THE ADMISSION OF A LABORATORY REPORT OR THE CHAIN OF CUSTODY, TO AMEND THE EVIDENCE LAWS DEALING WITH THE OPTOMETRIST/PATIENT PRIVILEGE, AND TO AUTHORIZE SUPERIOR COURT SESSIONS IN THOMASVILLE AND MOORESVILLE. (S.L. 1997-304)

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

Representatives Buchanan and Sexton, Co-Chairs, for the Committee on Transportation submit the following bill with a favorable report for introduction.

A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE STUDY OF CERTAIN TRUCK SAFETY RELATED PROVISIONS BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

Pursuant to Rule 31(a), the bill is filed, assigned the number **H.B. 1242** and placed on the Calendar of July 21 for its first reading.

CONFERENCE REPORT

Representative Hill sends forth the Conference Report on Senate Committee Substitute for **H.B. 773**, **A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE VILLAGE OF BALD HEAD ISLAND.** Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of July 21.

The Conference Report, which changes the title, is ruled to be material, thus constituting its first reading.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Allred for the Committee on Ways and Means:

Committee Substitute for **S.B. 664**, **A BILL TO BE ENTITLED AN ACT TO GRANT AUTHORITY TO THE CITY OF GREENVILLE TO ADDRESS ABANDONED STRUCTURES IN THE SAME MANNER AS MUNICIPALITIES IN COUNTIES WITH A POPULATION OF OVER ONE HUNDRED SIXTY-THREE THOUSAND**, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representatives Buchanan and Sexton, Co-Chairs, for the Committee on Transportation:

H.B. 1096, A BILL TO BE ENTITLED AN ACT TO ADJUST CERTAIN STATUTES AFFECTING THE TRUCKING INDUSTRY TO ENCOURAGE THE GROWTH OF THAT INDUSTRY THROUGH INCREASED TRUCK REGISTRATIONS IN THIS STATE AND TO PROVIDE CONSUMER PROTECTION PROVISIONS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Hill for the Permanent Subcommittee on Local, Regional, and State Revenues, of the Standing Committee on Finance, with approval of standing committee co-chairs for report to be made directly to the floor of the House:

H.B. 99, A BILL TO BE ENTITLED AN ACT TO ALLOW GATES COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS COUNTY BOARD OF EDUCATION, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

H.B. 418, A BILL TO BE ENTITLED AN ACT REGARDING AVERY COUNTY AND INCORPORATED MUNICIPALITIES LOCATED THEREIN, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

The committee substitute bill is ruled to be material, thus constituting its first reading.

H.B. 420, A BILL TO BE ENTITLED AN ACT REGARDING CALDWELL COUNTY AND INCORPORATED MUNICIPALITIES LOCATED THEREIN, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

The committee substitute bill is ruled to be material, thus constituting its first reading.

H.J.R. 1239, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF BARNEY PAUL WOODARD, FORMER MEMBER OF THE GENERAL ASSEMBLY, with a favorable report.

Pursuant to Rule 36(a), the resolution is placed on the Calendar of July 21.

H.J.R. 1240, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF DAVID E. REYNOLDS, FORMER EXECUTIVE DIRECTOR OF THE NORTH CAROLINA LEAGUE OF MUNICIPALITIES, with a favorable report.

Pursuant to Rule 36(a), the resolution is placed on the Calendar.

H.J.R. 1241, A JOINT RESOLUTION INVITING DR. JOHN HOPE FRANKLIN TO ADDRESS A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE AND INVITING GOVERNOR JAMES B. HUNT, JR., with a favorable report.

Pursuant to Rule 36(a), the resolution is placed on today's Calendar.

S.B. 648, A BILL TO BE ENTITLED AN ACT TO PROVIDE A FOUR-YEAR TERM FOR THE MAYOR OF THE TOWN OF WALLACE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 457**, A BILL TO BE ENTITLED AN ACT TO ALLOW RECOVERY OF FUNDS PAID AS FOREST DEVELOPMENT COST-SHARING PAYMENTS WHEN TREES ARE NOT MAINTAINED AT LEAST TEN YEARS AND TO CONVERT THE FOREST DEVELOPMENT FUND TO ONE THAT ACCRUES INTEREST, is returned for concurrence in Senate committee substitute and placed on the Calendar of July 21.

Senate Committee Substitute for **H.B. 618**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE CRIMINAL PENALTIES FOR MISREPRESENTATION UNDER THE WORKERS' COMPENSATION ACT, is returned for concurrence in Senate committee substitute and placed on the Calendar of July 21.

Upon concurrence, the Senate committee substitute changes the title.

Senate Committee Substitute for **H.B. 843**, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF CEDAR ROCK SUBJECT TO A REFERENDUM, is returned for concurrence in Senate committee substitute and placed on the Calendar of July 21.

Senate Committee Substitute for **H.B. 967**, A BILL TO BE ENTITLED AN ACT TO PROVIDE SELECTION OF EITHER OF THE TWO NEAREST ROUTES TO A NON-LIGHT-TRAFFIC ROAD, is returned for concurrence in Senate committee substitute and referred to the Committee on Rules, Calendar, and Operations of the House.

Upon concurrence, the Senate committee substitute changes the title.

Committee Substitute for **S.B. 1073**, A BILL TO BE ENTITLED AN ACT RELATING TO AUCTIONEERS, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR

Action is taken on the following:

On motion of the Chair and without objection, **H.J.R. 1241**, A JOINT RESOLUTION INVITING DR. JOHN HOPE FRANKLIN TO ADDRESS A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE AND INVITING GOVERNOR JAMES B. HUNT, JR., is moved up on today's Calendar for immediate consideration.

The resolution passes its second reading, by electronic vote (105-0), and there being no objection is read a third time.

The Speaker votes "aye". The adjusted vote total is (106-0).

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

CONFERENCE REPORT

Without objection, Representative Alexander withdraws Conference Report No. 2 on House Committee Substitute for **S.B. 556**, A BILL TO BE ENTITLED AN ACT REGARDING REQUIREMENTS FOR SPRINKLER SYSTEMS IN FRATERNITY AND SORORITY HOUSES WITHIN THE CITIES OF CHARLOTTE AND GREENSBORO, AND WITHIN THEIR EXTRATERRITORIAL PLANNING JURISDICTION.

CALENDAR (continued)

Senate Committee Substitute for **H.B. 275**, A BILL TO BE ENTITLED AN ACT TO REDUCE DUPLICATION OF WORK BETWEEN THE OFFICE OF STATE PERSONNEL AND OTHER AGENCIES, DEPARTMENTS, AND INSTITUTIONS BY THE DELEGATION OF AUTHORITY OF CERTAIN FUNCTIONS FROM THE OFFICE OF STATE PERSONNEL TO THOSE AGENCIES, DEPARTMENTS, AND INSTITUTIONS.

On motion of Representative Sherrill, the House concurs in the Senate committee substitute, by electronic vote (106-0), and the bill is ordered enrolled and presented to the Governor.

Representative Sexton requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (107-0).

Committee Substitute for **S.B. 994**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE DIRECT SHIPMENT OF ALCOHOLIC BEVERAGES TO CONSUMERS IN NORTH CAROLINA, is before the Body with a motion to re-refer to the Committee on Commerce pending.

Representative Decker offers a substitute motion to re-refer the bill to the Committee on Judiciary II.

Representative Decker calls the previous question on the motion and the call is sustained by electronic vote (68-41).

The motion fails by electronic vote (19-90).

Representative Wood calls the previous question on the passage of the bill and the call is sustained by electronic vote (71-38).

The bill passes its second reading, by electronic vote (105-4), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 264**, A BILL TO BE ENTITLED AN ACT TO PROVIDE IMMUNITY TO EMPLOYERS WHO DISCLOSE INFORMATION ABOUT AN EMPLOYEE WHEN THE EMPLOYER IS PROVIDING A REFERENCE.

Representative Saunders offers Amendment No. 1.

Representative Neely calls the previous question on the amendment and the call is sustained by electronic vote (63-45).

Amendment No. 1 fails of adoption by electronic vote (47-61).

The bill passes its second reading, by electronic vote (94-15).

Representative Fitch objects to the third reading. The bill remains on the Calendar.

Committee Substitute for **S.B. 455**, A BILL TO BE ENTITLED AN ACT TO IMPROVE HMO SERVICES BY PROTECTING PHYSICIAN COMMUNICATIONS REGARDING TREATMENT, REQUIRING COVERAGE FOR EMERGENCY CARE, AND REDUCING THE APPROVAL PERIOD FOR RATE FILINGS.

On motion of Representative Dockham and without objection, the bill is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

Committee Substitute No. 2 for **H.B. 631**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE FORMULA FOR DISTRIBUTING THE PROCEEDS OF THE FORSYTH COUNTY OCCUPANCY TAXES.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Buchanan, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, Mercer, Miller, Miner, Mitchell, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, C. Wilson, G. Wilson, Wood, Wright, and Yongue - 105.

Voting in the negative: None.

Excused absences: Representatives Baddour, Cansler, Daughtry, Gamble, McMahan, Moore, Starnes, and Womble - 8.

Committee Substitute No. 2 for **H.B. 859**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE BRUNSWICK COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, TO AUTHORIZE CERTAIN MUNICIPALITIES IN BRUNSWICK COUNTY TO LEVY OR INCREASE LOCAL OCCUPANCY TAXES, AND TO AUTHORIZE PERSON COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Arnold, Barbee, Beall, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Buchanan, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Cunningham, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Ellis, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus,

Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, Mercer, Miller, Miner, Mitchell, Morgan, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Russell, Saunders, Sexton, Sherrill, Smith, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, C. Wilson, Wright, and Yongue - 94.

Voting in the negative: Representatives Aldridge, Allred, Baker, Berry, Capps, Creech, Eddins, Hardy, Morris, Shubert, and G. Wilson - 11.

Excused absences: Representatives Baddour, Cansler, Daughtry, Gamble, McMahan, Moore, Starnes, and Womble - 8.

House Committee Substitute for **S.B. 711**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE INCORPORATION OF THE TOWN OF SWEPSONVILLE AND THE SIMULTANEOUS DISSOLUTION OF THE SWEPSONVILLE SANITARY DISTRICT.

Representative Wainwright offers Amendment No. 2. This amendment changes the title.

Amendment No. 2, which is ruled to be material, thus constituting its first reading, is adopted by the following vote.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, Mercer, Miller, Miner, Mitchell, Morgan, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, C. Wilson, Wood, Wright, and Yongue - 105.

Voting in the negative: None.

Excused absences: Representatives Baddour, Cansler, Daughtry, Gamble, McMahan, Moore, Starnes, and Womble - 8.

The bill remains on the Calendar for its second roll call reading.

Committee Substitute No. 2 for **H.B. 568**, A BILL TO BE ENTITLED AN ACT CONCERNING SATELLITE ANNEXATIONS BY THE TOWN OF WAKE FOREST, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, Mercer, Miller, Miner, Mitchell, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, C. Wilson, G. Wilson, Wood, Wright, and Yongue - 106.

Voting in the negative: Representative Hardy.

Excused absences: Representatives Baddour, Cansler, Daughtry, Gamble, McMahan, Moore, Starnes, and Womble - 8.

Committee Substitute for **H.B. 600**, A BILL TO BE ENTITLED AN ACT CLARIFYING THAT IN MODIFYING THE REQUIREMENTS FOR MAKING STREET ASSESSMENTS IN FOXFIRE VILLAGE UNDER CERTAIN CIRCUMSTANCES, UNDERGROUNDING OF UTILITIES, WHICH WAS PART OF THE PROJECT, IS ALSO SUBJECT TO ASSESSMENT, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney,

Kiser, Luebke, McAllister, McComas, McCombs, McCrary, Mercer, Miller, Miner, Mitchell, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, C. Wilson, G. Wilson, Wood, and Yongue - 106.

Voting in the negative: None.

Excused absences: Representatives Baddour, Cansler, Daughtry, Gamble, McMahan, Moore, Starnes, and Womble - 8.

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative Cole and without objection, **S.B. 426**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SPECIAL REGISTRATION LICENSE PLATES ON CERTAIN COMMERCIAL MOTOR VEHICLES AND TO PROVIDE SPECIAL REGISTRATION LICENSE PLATES FOR MAGISTRATES, is withdrawn from the Calendar and re-referred to the Committee on Finance.

On motion of Representative Morgan and without objection, **S.B. 186**, A BILL TO BE ENTITLED AN ACT REQUIRING THE PAYMENT OF DELINQUENT TAXES IN ALLEGHANY COUNTY BEFORE RECORDING DEEDS CONVEYING PROPERTY SUBJECT TO DELINQUENT TAXES, is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR (continued)

Committee Substitute for **H.B. 566**, A BILL TO BE ENTITLED AN ACT EXEMPTING THE WAKE COUNTY PUBLIC SCHOOL SYSTEM FROM DEVELOPMENT CHARGES RELATED TO THE CONSTRUCTION, RENOVATION, AND REPAIR OF PUBLIC SCHOOL SYSTEM INFRASTRUCTURE FACILITIES IN WAKE COUNTY AND THE MUNICIPALITIES THEREIN, passes its second reading.

Representative Eddins objects to the third reading. The bill remains on the Calendar.

Committee Substitute for **H.B. 1187**, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN COUNTY AND CITY PURCHASES FROM STATE AND LOCAL SALES TAX.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Capps, Carpenter, Church, Clary, Crawford, Creech, Culp, Culpepper, Cunningham, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, Mercer, Miller, Miner, Mitchell, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, C. Wilson, G. Wilson, Wood, Wright, and Yongue - 106.

Voting in the negative: Representative Hightower.

Excused absences: Representatives Baddour, Cansler, Daughtry, Gamble, McMahan, Moore, Starnes, and Womble - 8.

House Committee Substitute for **S.B. 919**, A BILL TO BE ENTITLED AN ACT TO REQUIRE DISCONTINUATION OF TELECOMMUNICATIONS SERVICES USED FOR UNLAWFUL PURPOSE.

On motion of Representative Hardy and without objection, consideration of the bill is postponed until July 22.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

Senate Committee Substitute for **H.B. 96**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE SECRETARY OF REVENUE TO MAKE REFUNDS OF THE INTANGIBLES TAX TO TAXPAYERS WHO PRESERVED THEIR RIGHT TO A REFUND BY PROTESTING PAYMENT WITHIN THE TIME LIMITS SET BY G.S. 105-267, is returned for concurrence in Senate committee substitute.

Upon concurrence, the Senate committee substitute changes the title.

On motion of Representative Morgan and without objection, Rule 43.3 is suspended and the Senate committee substitute bill is placed on the Calendar for immediate consideration.

On motion of Representative Dickson, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (108-0), and the bill is ordered enrolled and presented to the Governor by Special Message.

Representative Hall states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (109-0).

SUBCOMMITTEE REFERRALS

Representative Gray, Senior Ranking Member and Co-Chair, for the Standing Committee on Finance, refers the following bills to the Permanent Subcommittee on Local, Regional, and State Revenues.

Committee Substitute for **H.B. 418**, A BILL TO BE ENTITLED AN ACT REGARDING AVERY COUNTY AND INCORPORATED MUNICIPALITIES LOCATED THEREIN; and

Committee Substitute for **H.B. 420**, A BILL TO BE ENTITLED AN ACT REGARDING CALDWELL COUNTY AND INCORPORATED MUNICIPALITIES LOCATED THEREIN.

RE-REFERRALS

On motion of Representative Dockham and without objection, pursuant to Rule 39.2, Senate Committee Substitute for **H.B. 1052**, A BILL TO BE ENTITLED AN ACT TO ALLOW INSURERS TO LIMIT OR EXCLUDE EXCESS LIABILITY COVERAGE FOR UNINSURED AND UNDER-INSURED MOTORISTS AS PROVIDED BY LAW, is withdrawn from the Committee on Insurance and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Eddins and without objection, Senate Committee Substitute for **H.B. 1032**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE COMMISSION FOR HEALTH SERVICES TO ADOPT A RULE TO AUTHORIZE THE USE OF DESIGN CRITERIA FOR MUNICIPAL SOLID WASTE LANDFILLS THAT COMPLIES WITH FEDERAL LAW AND THAT PROVIDES FOR AN ALTERNATE

LANDFILL LINER THAT IS AT LEAST AS PROTECTIVE AS THE CURRENTLY AUTHORIZED LANDFILL LINER, is withdrawn from the Committee on Environment and re-referred to the Committee on Rules, Calendar, and Operations of the House.

CONFERENCE REPORT

Representative Alexander sends forth Conference Report No. 3 on House Committee Substitute for **S.B. 556**, A BILL TO BE ENTITLED AN ACT REGARDING REQUIREMENTS FOR SPRINKLER SYSTEMS IN FRATERNITY AND SORORITY HOUSES WITHIN THE CITIES OF CHARLOTTE AND GREENSBORO, AND WITHIN THEIR EXTRA-TERRITORIAL PLANNING JURISDICTION. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of July 21.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committee are presented:

By Representatives Howard and Aldridge, Co-Chairs, for the Committee on Human Resources:

Committee Substitute for **S.B. 53**, A BILL TO BE ENTITLED AN ACT TO ADJUST ADMINISTRATIVE PENALTIES FOR ADULT CARE HOMES AND NURSING HOMES WHICH ARE FOUND TO BE IN VIOLATION OF APPLICABLE STATE AND FEDERAL LAWS AND REGULATIONS, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 636, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ESTABLISHMENT OF LOCAL PUBLIC HEALTH AUTHORITIES, AS RECOMMENDED BY THE NORTH CAROLINA PUBLIC HEALTH COMMISSION, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan and without objection, **S.B. 565, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE APPLICATION OF THE COMMISSIONER OF BANK'S RATE TO VARIABLE RATE LOANS WITH ADJUSTMENT PERIODS GREATER THAN ONE MONTH AND TO REPEAL THE LAWS GOVERNING VARIABLE RATE LOANS OF MANUFACTURED HOMES AND INSTALLMENT RATES AND FEES**, is withdrawn from the Calendar pursuant to Rule 36(a) and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Morgan, seconded by Representative Owens, the House adjourns at 11:56 a.m. to reconvene Monday, July 21, 1997, at 6:00 p.m.

NINETY-NINTH DAY**HOUSE OF REPRESENTATIVES**

Monday, July 21, 1997

The House meets at 6:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain.

"Almighty God, You are eternal; without beginning or end. You created all that there is with the simple whisper of Your voice. And, You created each one of us in Your image. With the wisdom of the ages at Your disposal, You peer into our hearts and You see and know what is there...what motivates us...what drives us. You look with pleasure at those things which bring honor to You, and You look with pity and with sorrow at those things which keep us from being true to You.

"The newspapers, the editorials, and the public are openly commenting about what it is that is keeping us from concluding our business. Perhaps they know something we have yet to discover about what needs to be done to solve our differences. Or, perhaps they speak foolishly about what they do not know or understand. But, You know, O God. You alone can see in

our hearts and You alone truly know what causes us to stumble in selfish ignorance or to acquiesce in the spirit of compromise.

"Our egos and our pride are not without fragility. Keep us safe from the barbs of those who would seek to destroy us, but at the same time, keep us accountable to those whom we are called to serve. This is a difficult balance, Lord. And, we admit that we are helpless without You. So, in our work this week, may we seek to be true to each other, to ourselves, and to our constituents...but, mostly, may we seek to be true to You who knows our inner most thoughts and motives, and may we all serve with a fervor that seeks equality and justice and opportunity for all people. All this we humbly pray in Your name. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 17 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (95-0).

Leaves of absence are granted Representatives Berry, Church, Cunningham, Gamble, Goodwin, Hiatt, McMahan, Redwine, Tallent, and Womble for today. Representative Sutton is excused for a portion of the session.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

S.B. 994, AN ACT TO PROHIBIT THE DIRECT SHIPMENT OF ALCOHOLIC BEVERAGES TO CONSUMERS IN NORTH CAROLINA.

H.B. 96, AN ACT TO DIRECT THE SECRETARY OF REVENUE TO (1) MAKE REFUNDS OF THE INTANGIBLES TAX TO TAXPAYERS WHO PRESERVED THEIR RIGHT TO A REFUND BY PROTESTING PAYMENT WITHIN THE TIME LIMITS SET BY G.S. 105-267 AND (2) NOTIFY AFFECTED INTANGIBLES TAXPAYERS BY MAIL AS SOON AS POSSIBLE OF THE COURT NOTICE IN THE CLASS ACTION LAWSUIT REGARDING REFUNDS.

H.B. 275, AN ACT TO REDUCE DUPLICATION OF WORK BETWEEN THE OFFICE OF STATE PERSONNEL AND OTHER AGENCIES, DEPARTMENTS, AND INSTITUTIONS BY THE

DELEGATION OF AUTHORITY OF CERTAIN FUNCTIONS FROM THE OFFICE OF STATE PERSONNEL TO THOSE AGENCIES, DEPARTMENTS, AND INSTITUTIONS.

CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

H.J.R. 1241, A JOINT RESOLUTION INVITING DR. JOHN HOPE FRANKLIN TO ADDRESS A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE AND INVITING GOVERNOR JAMES B. HUNT, JR. (RESOLUTION 23)

S.B. 429, AN ACT CLARIFYING LANGUAGE CONCERNING ATTENDANCE AND PARTICIPATION OF ALTERNATES ON THE CHARLOTTE CIVIL SERVICE BOARD AND ALLOWING THE CITY OF CHARLOTTE TO DISCLOSE LIMITED PERSONNEL INFORMATION CONCERNING THE DISPOSITION OF DISCIPLINARY CHARGES AGAINST POLICE OFFICERS. (S.L. 1997-305)

S.B. 667, AN ACT TO AMEND THE CRIMINAL OFFENSE OF STALKING. (S.L. 1997-306)

S.B. 249, AN ACT TO CLARIFY WHAT FUNDS MAY BE USED TO REPAY SPECIAL OBLIGATION BONDS AND TO MAKE OTHER CHANGES IN THE LAWS CONCERNING THESE BONDS. (S.L. 1997-307)

S.B. 764, AN ACT TO AMEND THE WORKERS' COMPENSATION ACT REGARDING EMPLOYER ACCESS TO MEDICAL INFORMATION. (S.L. 1997-308)

S.B. 875, AN ACT TO IMPROVE THE PROCEDURES FOR RECORDING MAPS AND PLATS, TO REVISE THE LAW GOVERNING THE DISPOSITION OF CERTAIN BIRTH AND DEATH CERTIFICATES, AND TO ESTABLISH A STUDY OF LAND TITLE REGISTRATION PROCEDURES. (S.L. 1997-309)

S.B. 132, AN ACT TO AUTHORIZE CLERKS TO ALLOCATE SPOUSE'S AND CHILDREN'S YEAR'S ALLOWANCE FROM A DECEDENT'S ESTATE. (S.L. 1997-310)

S.B. 330, AN ACT TO AMEND THE LAW GOVERNING SAFE-DEPOSIT BOXES. (S.L. 1997-311)

S.B. 714, AN ACT TO REQUIRE HEALTH AND ACCIDENT INSURANCE POLICIES, HOSPITAL OR MEDICAL SERVICE PLANS, HMO PLANS, AND THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN TO PROVIDE COVERAGE FOR RECONSTRUCTIVE BREAST SURGERY RESULTING FROM MASTECTOMY. (S.L. 1997-312)

S.B. 930, AN ACT TO ABOLISH THE MUTUAL BURIAL ASSOCIATION COMMISSION AND TO TRANSFER ITS DUTIES TO THE BOARD OF MORTUARY SCIENCE. (S.L. 1997-313)

H.B. 1006, AN ACT TO INCREASE THE EXEMPTION FOR ANNOUNCING REQUIREMENTS OF CAPITAL IMPROVEMENT PROJECT DESIGNS. (S.L. 1997-314)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Committee on Finance:

Committee Substitute for **H.B. 469,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE LATE PAYMENT FEE AND TO CREATE A REINSTATEMENT FEE FOR PERMITS SUSPENDED FOR FAILURE TO PAY PERMIT FEES, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 168,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE EXAMINATION AND CERTIFICATION FEES COLLECTED UNDER THE NURSING PRACTICE ACT, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 312**, A BILL TO BE ENTITLED AN ACT TO REGULATE CHECK-CASHING BUSINESSES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 441, A BILL TO BE ENTITLED AN ACT TO INCREASE THE AMOUNT ALLOCATED TO SHERIFFS FROM THE FEES CHARGED FOR CONCEALED HANDGUN APPLICATIONS AND RENEWALS, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar of July 22. The original bill is placed on the Unfavorable Calendar.

House Committee Substitute for **S.B. 676**, A BILL TO BE ENTITLED AN ACT TO AMEND THE SEXUAL OFFENDER REGISTRATION PROGRAM TO COMPLY WITH FEDERAL LAW, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 2 is placed on the Calendar. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

House Committee Substitute for **S.B. 833**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Neely for the Committee on Judiciary II:

Committee Substitute for **H.B. 949**, A BILL TO BE ENTITLED AN ACT TO IMPROVE CHILD PROTECTION BY REQUIRING BETTER DISCLOSURE OF CHILD FATALITY RECORDS, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1, and recommendation that Committee Substitute Bill No. 2 be re-referred to the Committee on Appropriations.

Committee Substitute Bill No. 2 is re-referred to the Committee on Appropriations. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representative Hill for the Permanent Subcommittee on Local, Regional, and State Revenues of the Standing Committee on Finance, with approval of standing committee co-chairs for report to be made directly to the floor of the House:

Committee Substitute for **H.B. 418**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF MOUNT AIRY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, TO MODIFY THE DISTRIBUTION OF THE AVERY COUNTY OCCUPANCY TAX, AND TO REQUIRE PAYMENT OF DELINQUENT TAXES FOR THE TOWNS OF NEWLAND AND SPRUCE PINE AND FOR THE COUNTY OF ALLEGHANY BEFORE RECORDING DEEDS CONVEYING PROPERTY SUBJECT TO THE DELINQUENT TAXES, AND TO VALIDATE BUDGET PROCEDURES OF THE TOWN OF NORWOOD IN STANLY COUNTY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of July 22.

Committee Substitute for **H.B. 420**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF KINGS MOUNTAIN TO ANNEX CERTAIN NONCONTIGUOUS PROPERTY, CREATING THE MOSS LAKE AUTHORITY TO ADDRESS ISSUES RELATED TO THE LAKE, AND PROVIDING GUIDELINES FOR THE COLLECTION AND DISBURSEMENT OF FEES GENERATED FROM THE RECREATIONAL USE OF MOSS LAKE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of July 22.

By Representatives Eddins, Hill, and Watson, Co-Chairs, for the Committee on Environment:

Committee Substitute for **S.B. 114**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT RECORDATION OF AN INACTIVE HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITE IS NOT REQUIRED IN CERTAIN CASES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION AND TO EXPEDITE THE PERMANENT CLOSURE OF LOW-RISK SITES UNDER THE LEAKING PETROLEUM UNDERGROUND STORAGE TANK CLEANUP ACT OF 1988, with a favorable report as to House committee substitute

bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber

July 17, 1997

Mr. Speaker:

On **H.B. 773**, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE VILLAGE OF BALD HEAD ISLAND, which Senate Committee Substitute bill proposes to change the title, upon concurrence, to read **H.B. 773** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE VILLAGE OF BALD HEAD ISLAND AND TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF LELAND, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees and the title becomes **H.B. 773** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE VILLAGE OF BALD HEAD ISLAND, to the end that when a similar action has been taken on the part of your Honorable Body, the Speaker may order the bill enrolled.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

INTRODUCTION OF BILL AND RESOLUTION

The following is introduced, read the first time and referred to committee:

By House Transportation Committee and Representative Luebke:

H.B. 1242, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE STUDY OF CERTAIN TRUCK SAFETY RELATED PROVISIONS BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, is referred to the Committee on Rules, Calendar, and Operations of the House.

MESSAGE FROM THE SENATE

The following is received from the Senate:

Senate Committee Substitute for **H.B. 523**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CONFISCATED WEAPONS MAY BE KEPT FOR DEPARTMENTAL USE BY LAW ENFORCEMENT OFFICERS, is returned for concurrence in Senate committee substitute and placed on the Calendar of July 22.

BILL RE-CALENDARED

Representative Morgan requests unanimous consent and **H.J.R. 1239**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF BARNEY PAUL WOODARD, FORMER MEMBER OF THE GENERAL ASSEMBLY, is moved up on today's Calendar.

INTRODUCTION OF PAGES

Pages for the week of July 21 are introduced to the membership. They are: Clinton Lemond Allen of Wake; James Clark Boyne of Wake; Katherine Nash Corzine of Wake; Julie Elizabeth Davis of Granville; Katherine Lynne Davis of Granville; Charlotte Frances Alexander Floyd of Wake; James McDonald Hobgood of Johnston; Hunter Alan Johnson of Johnston; John A. Mandeville, Jr., of Wake; Jonathan Garrett Mausner of Wake; Jay Edward Moore of Johnston; Susan Elizabeth Patton of Wake; Jonathan Maurice Peele of Cumberland; Robert James Pickett of Iredell; Mary Margaret Propes of Wake; Blair Louise Rorie of Wake; David Anthony Sammons of Wake; Ivan Cameron Sealey of Wake; and Robert Gene Strider of Moore.

CALENDAR

Action is taken on the following:

H.J.R. 1239, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF BARNEY PAUL WOODARD, FORMER MEMBER OF

THE GENERAL ASSEMBLY, passes its second reading, by electronic vote (104-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

CONFERENCE REPORT

On motion of Representative Hill, the Conference Report on Senate Committee Substitute for H.B. 773, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE VILLAGE OF BALD HEAD ISLAND, is withdrawn from the Calendar and placed on the Calendar of July 22.

CONFERENCE REPORT

Representative Alexander moves the adoption of the following Conference Report.

House Committee Substitute for S.B. 556

To: The President of the Senate

The Speaker of the House of Representatives

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 556, A BILL TO BE ENTITLED AN ACT REGARDING REQUIREMENTS FOR SPRINKLER SYSTEMS IN FRATERNITY AND SORORITY HOUSES WITHIN THE CITIES OF CHARLOTTE AND GREENSBORO, AND WITHIN THEIR EXTRATERRITORIAL PLANNING JURISDICTION, Fifth Edition Engrossed 6/23/97, submit the following report:

The House and Senate agree to the following amendment to the Fifth Edition Engrossed 6/23/97 and the Senate concurs in the Fifth Edition Engrossed 6/23/97 as amended:

Delete the entire Fifth Edition Engrossed 6/23/97 and substitute the attached Proposed Conference Committee Substitute S556-PCCS6710.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 16, 1997.

*Conferees for the
Senate*

S/ Robert A. Rucho
S/ Brad Miller
S/ Eric Reeves

*Conferees for the
House of Representatives*

S/ Martha Alexander
S/ Jim Gulley

Representative Ellis moves that the Conference Report be withdrawn from the Calendar and placed on the Calendar of July 28.

The motion fails by electronic vote (48-56)

Conference Report No. 3, which changes the title, is adopted, by electronic vote (102-3), and the Senate is so notified by Special Message. (The Conference Committee Substitute may be found in its entirety in the Appendix.)

CALENDAR (continued)

Senate Committee Substitute for **H.B. 843**, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF CEDAR ROCK SUBJECT TO A REFERENDUM.

On motion of Representative Starnes, the House concurs in the Senate committee substitute, by electronic vote (102-0), and the bill is ordered enrolled.

Representatives Dockham and Morgan request and are granted permission to be recorded as voting "aye". The adjusted vote total is (104-0).

Senate Committee Substitute for **H.B. 457**, A BILL TO BE ENTITLED AN ACT TO ALLOW RECOVERY OF FUNDS PAID AS FOREST DEVELOPMENT COST-SHARING PAYMENTS WHEN TREES ARE NOT MAINTAINED AT LEAST TEN YEARS AND TO CONVERT THE FOREST DEVELOPMENT FUND TO ONE THAT ACCRUES INTEREST.

On motion of Representative Weatherly, the House concurs in the Senate committee substitute, by electronic vote (106-0), and the bill is ordered enrolled and presented to the Governor.

Senate Committee Substitute for **H.B. 618**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE CRIMINAL PENALTIES FOR MISREPRESENTATION UNDER THE WORKERS' COMPENSATION ACT.

On motion of Representative Mitchell, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (105-0), and the bill is ordered enrolled and presented to the Governor.

Committee Substitute No. 2 for **H.B. 502**, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF MOTOR VEHICLE TO INCLUDE PERSONAL WATERCRAFT AND ALL TERRAIN VEHICLES SOLD BY DEALERS OTHERWISE SUBJECT TO THE MOTOR VEHICLE DEALER AND MANUFACTURERS LICENSING LAW.

On motion of Representative Morgan, the bill is withdrawn from the Calendar and re-referred to the Committee on Finance by electronic vote (96-10).

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 752, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STATE AGENCIES TO ISSUE DUPLICATE LICENSES WITHOUT CHARGE WHEN THE ORIGINAL LICENSES ARE DESTROYED OR STOLEN DURING THE COMMISSION OF A CRIME, passes its second reading, by electronic vote (105-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 1011**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE SUBMISSION OF A STATUS REPORT TO THE ENVIRONMENTAL REVIEW COMMISSION REGARDING FAILING COMMUNITY LOW PRESSURE PIPE WASTEWATER SYSTEMS LOCATED IN WAKE COUNTY, TO DIRECT THE ENVIRONMENTAL REVIEW COMMISSION TO CONTINUE TO MONITOR THE CONVERSION OF THESE SYSTEMS, AND TO AUTHORIZE THE ENVIRONMENTAL REVIEW COMMISSION TO MAKE RECOMMENDATIONS, passes its second reading, by electronic vote (104-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 745**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE STATE SHALL PAY THE COST OF ANY REQUIRED LEGAL ADVERTISING IT REQUIRES COUNTIES

TO PLACE IN CONNECTION WITH ANY REFERENDUM PLACED ON THE BALLOT BY THE GENERAL ASSEMBLY; AND TO ALLOW A COUNTY BOARD OF ELECTIONS TO CONDUCT ONE-STOP VOTING ON ITS ELECTION-DAY VOTING EQUIPMENT UNDER CERTAIN CIRCUMSTANCES.

On motion of Representative Ives, the bill is withdrawn from the Calendar and re-referred to the Committee on Election Law and Campaign Reform.

Committee Substitute No. 2 for **H.B. 568**, A BILL TO BE ENTITLED AN ACT CONCERNING SATELLITE ANNEXATIONS BY THE TOWN OF WAKE FOREST, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Crawford, Creech, Culp, Culpepper, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gardner, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hightower, Hill, Holmes, Howard, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, Mercer, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Wood, Wright, and Yongue - 105.

Voting in the negative: None.

Excused absences: Representatives Berry, Church, Cunningham, Gamble, Goodwin, Hiatt, McMahan, Redwine, Tallent, and Womble - 10.

Committee Substitute for **H.B. 600**, A BILL TO BE ENTITLED AN ACT CLARIFYING THAT IN MODIFYING THE REQUIREMENTS FOR MAKING STREET ASSESSMENTS IN FOXFIRE VILLAGE UNDER CERTAIN CIRCUMSTANCES, UNDERGROUNDING OF UTILITIES, WHICH WAS PART OF THE PROJECT, IS ALSO SUBJECT TO ASSESSMENT, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Crawford, Creech, Culp, Culpepper, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gardner, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hightower, Hill, Holmes, Howard, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, Mercer, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Wood, Wright, and Yongue - 104.

Voting in the negative: None.

Excused absences: Representatives Berry, Church, Cunningham, Gamble, Goodwin, Hiatt, McMahan, Redwine, Tallent, and Womble - 10.

House Committee Substitute for **S.B. 711**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE INCORPORATION OF THE TOWN OF SWEPSONVILLE AND THE SIMULTANEOUS DISSOLUTION OF THE SWEPSONVILLE SANITARY DISTRICT AND TO INCORPORATE THE TOWN OF GRANTSBORO.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cole, Crawford, Creech, Culp, Culpepper, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gardner, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hightower, Hill, Holmes, Howard, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, Mercer, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Wilkins, C. Wilson, G. Wilson, Wood, Wright, and Yongue - 104.

Voting in the negative: None.

Excused absences: Representatives Berry, Church, Cunningham, Gamble, Goodwin, Hiatt, McMahan, Redwine, Tallent, and Womble - 10.

Committee Substitute for **H.B. 566**, A BILL TO BE ENTITLED AN ACT EXEMPTING THE WAKE COUNTY PUBLIC SCHOOL SYSTEM FROM DEVELOPMENT CHARGES RELATED TO THE CONSTRUCTION, RENOVATION, AND REPAIR OF PUBLIC SCHOOL SYSTEM INFRASTRUCTURE FACILITIES IN WAKE COUNTY AND THE MUNICIPALITIES THEREIN, passes its third reading, by electronic vote (107-0), and is ordered sent to the Senate.

ESCORT COMMITTEE APPOINTED

The Speaker appoints the following members as an Escort Committee for Dr. John Hope Franklin, pursuant to **H.J.R. 1241**, A JOINT RESOLUTION INVITING DR. JOHN HOPE FRANKLIN TO ADDRESS A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE AND INVITING GOVERNOR JAMES B. HUNT, JR.: Representatives Michaux, Blue, Miller, Luebke, McAllister, Wright, Gray, and Morris.

The Senate is so notified by Special Message.

On motion of Representative Morgan, seconded by Representative Arnold, the House adjourns at 7:22 p.m. to reconvene July 22 at 10:00 a.m.

ONE HUNDREDTH DAY

HOUSE OF REPRESENTATIVES

Tuesday, July 22, 1997

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain.

"God of Mercy and Grace, I pray, this morning, for all of my brothers and sisters who work in this Chamber. Pour out Your grace upon their lives, upon their work, upon their families, and upon their commitment to public service. Keep them from harm's way and deliver them from evil so that their intentions, their actions, and their minds may be clear of any undue influence and so they can work with great confidence with the gifts You have given to each one of them.

"Fill their hearts with purity so that at the end of this and every day, they can rest with a clear conscience and with the satisfaction of knowing that they have lived as authentically as they could have lived within the will and purpose of God. I pray that each one of them will experience a new and clear touch of Your grace in their lives, even in this very moment. For their protection, for their competence, for their commitment, for their moral resolve, and for their lives, I humbly pray as a fellow sojourner on the road of life and faith. Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 21 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (101-1).

Leaves of absence are granted Representatives Braswell, Cunningham, Hiatt, Miller, Smith, and Womble for today. Representatives Bowie and Hensley are excused for a portion of the session.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

S.B. 254, AN ACT TO PROHIBIT DISCRIMINATION IN HEALTH INSURANCE AND EMPLOYMENT BASED ON GENETIC INFORMATION.

S.B. 531, AN ACT TO REQUIRE STATE GOVERNMENT AGENCIES TO REDUCE THE NUMBER OF MENUS ON AUTOMATED PHONE SYSTEMS THAT CALLERS MUST GO THROUGH BEFORE CONNECTING TO A PERSON AND TO ALLOW ACCESS TO AN ATTENDANT OR OPERATOR ON THE FIRST MENU.

H.B. 457, AN ACT TO ALLOW RECOVERY OF FUNDS PAID AS FOREST DEVELOPMENT COST-SHARING PAYMENTS WHEN TREES ARE NOT MAINTAINED AT LEAST TEN YEARS AND TO

CONVERT THE FOREST DEVELOPMENT FUND TO ONE THAT ACCRUES INTEREST.

H.B. 463, AN ACT TO INCREASE THE PERMISSIBLE WEIGHT OF AGRICULTURAL CROPS THAT MAY BE TRANSPORTED ON THE HIGHWAYS FROM THE FIELD TO LOCAL MARKETS.

H.B. 618, AN ACT TO INCREASE THE CRIMINAL PENALTIES FOR MISREPRESENTATION AND FOR FAILURE TO SECURE COMPENSATION UNDER THE WORKERS' COMPENSATION ACT.

H.B. 1158, AN ACT TO PROVIDE THAT ANTIQUE AIRPLANES SHALL BE VALUED AT NO MORE THAN FIVE THOUSAND DOLLARS FOR PROPERTY TAX PURPOSES.

ENROLLED BILLS

The following bills are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 556, AN ACT REGARDING REQUIREMENTS FOR SPRINKLER SYSTEMS IN FRATERNITY AND SORORITY HOUSES WITHIN THE CITIES OF CHARLOTTE, GREENSBORO, AND RALEIGH AND WITHIN THEIR EXTRATERRITORIAL PLANNING JURISDICTION.

H.B. 843, AN ACT TO INCORPORATE THE TOWN OF CEDAR ROCK SUBJECT TO A REFERENDUM.

CHAPTERED BILL

The following resolution is properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

H.J.R. 1239, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF BARNEY PAUL WOODARD, FORMER MEMBER OF THE GENERAL ASSEMBLY. (RESOLUTION 24)

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from permanent subcommittee is presented:

By Representatives Ives, McCombs, and Sherrill, Co-Chairs, for the Permanent Subcommittee on General Government:

Committee Substitute No. 2 for **H.B. 665**, A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIME VICTIMS' RIGHTS ACT, TO ASSIST VICTIMS OF DOMESTIC VIOLENCE, TO ALLOW THE ENFORCEMENT OF ORDERS FOR RESTITUTION IN CRIMINAL CASES IN THE SAME MANNER AS CIVIL JUDGMENTS, TO CREATE AN EXCEPTION TO THE STATUTORY EXEMPTIONS FOR EXECUTION OF RESTITUTION JUDGMENTS, AND TO CHANGE THE ORDER OF PRIORITY FOR DISBURSEMENT OF FUNDS IN CRIMINAL CASES, reported to the Standing Committee on Appropriations, with a favorable recommendation as to proposed Committee Substitute Bill No. 3, unfavorable as to Committee Substitute Bill No. 2.

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber

July 21, 1997

Mr. Speaker:

Pursuant to **H.J.R. 1241**, A JOINT RESOLUTION INVITING DR. JOHN HOPE FRANKLIN TO ADDRESS A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE AND INVITING GOVERNOR JAMES B. HUNT, JR., the President Pro Tempore appoints as a committee on the part of the Senate to escort Dr. Franklin to the Joint Session in the Hall of the House of Representatives on Tuesday, July 22, 1997, at 11:00 a.m.

Senator Martin of Guilford, Chairman

Senator Ballance

Senator Gulley

Senator Lucas

Senator Kinnaird

Senator Shaw of Guilford

Senator Horton

Senator Reeves

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
July 21, 1997

Mr. Speaker:

On **S.B. 556** (Conference Report #2), the Senate has reconsidered the vote by which Conference Report #2 was adopted on July 16, 1997, and the Conference Report was withdrawn. It is ordered that a message be sent to the House of Representatives with the information that the Senate has adopted Conference Report #3, which corrects a technical error, and which title reads **S.B. 556** (Conference Committee Substitute), **A BILL TO BE ENTITLED AN ACT REGARDING REQUIREMENTS FOR SPRINKLER SYSTEMS IN FRATERNITY AND SORORITY HOUSES WITHIN THE CITIES OF CHARLOTTE, GREENSBORO, AND RALEIGH AND WITHIN THEIR EXTRATERRITORIAL PLANNING JURISDICTION.**

Pursuant to your message that your Honorable Body adopted the report on the conferees, the President will order the bill enrolled.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

CONFERENCE REPORT

Representative Redwine moves the adoption of the following Conference Report.

Senate Committee Substitute for H.B. 773

To: The President of the Senate
The Speaker of the House of Representatives

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 773, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE VILLAGE OF BALD HEAD ISLAND AND TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF LELAND, Senate Finance Committee Substitute, Third Edition Engrossed 6/23/97, submit the following report:

The House concurs in the Senate Finance Committee Substitute, Third Edition Engrossed 6/23/97, with the following amendments:

(1) on page 1, lines 3 and 4, delete the words "AND TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF LELAND";

(2) on page 7, line 34, through page 10, line 30, rewrite those lines to read:

"Section 10. The Brunswick County Board of Elections shall establish a special candidate filing period for the 1997 municipal election for the Village of Bald Head Island.

Section 11. This act is effective when it becomes law."

(3) on page 1, line 18, delete that line in its entirety.

The Senate agrees to the same.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 15, 1997.

*Conferees for the
Senate*

*Conferees for the
House of Representatives*

S/ R. C. Soles
S/ Luther Jordan
S/ Roy Cooper
S/ Anthony E. Rand
S/ John H. Carrington

S/ Dewey L. Hill, Chairman
S/ Michael P. Decker
S/ David Redwine
S/ J. Samuel Ellis

The material Conference Report is adopted on its second roll call reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Boyd-McIntyre, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling,

Eddins, Ellis, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Wood, Wright, and Yongue - 107.

Voting in the negative: None.

Excused absences: Representatives Bowie, Braswell, Cunningham, Hiatt, Miller, Smith, and Womble - 7.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 523**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CONFISCATED WEAPONS MAY BE KEPT FOR DEPARTMENTAL USE BY LAW ENFORCEMENT OFFICERS.

On motion of Representative Wilkins, the House concurs in the Senate committee substitute, by electronic vote (106-1), and the bill is ordered enrolled and presented to the Governor.

House Committee Substitute for **S.B. 264**, A BILL TO BE ENTITLED AN ACT TO PROVIDE IMMUNITY TO EMPLOYERS WHO DISCLOSE INFORMATION ABOUT AN EMPLOYEE WHEN THE EMPLOYER IS PROVIDING A REFERENCE.

Representative Saunders offers Amendment No. 2 which fails of adoption by electronic vote (47-62).

The bill passes its third reading, by electronic vote (96-12), and is ordered sent to the Senate for concurrence in House committee substitute.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 371**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE INTERNATIONAL COMMERCIAL ARBITRATION ACT TO PROVIDE FOR CONCILIATION OF DISPUTES, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

Pursuant to Rule 36(a), the following resolution appears on today's Calendar.

S.J.R. 707, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF ROYCE PHELPS "BO" THOMAS, FORMER MEMBER OF THE GENERAL ASSEMBLY, passes its second reading, by electronic vote (106-1), and there being no objection is read a third time.

Representative Hall requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (107-0).

The resolution passes its third reading and is ordered enrolled.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 178**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE SECRETARY OF CULTURAL RESOURCES TO PROPOSE LANDS TO BE ACQUIRED WITH FUNDS FROM THE NATURAL HERITAGE TRUST FUND, TO AUTHORIZE EXPENDITURES FROM THE FUND FOR CONSERVATION AND PROTECTION PLANNING AND EDUCATIONAL PROGRAMS FOR OWNERS OF NATURE PRESERVES UNDER THE NATURE PRESERVES ACT, AND TO AUTHORIZE THE BOARD OF TRUSTEES OF THE FUND TO ENTER INTO AGREEMENTS FOR THE MANAGEMENT OF ACQUIRED LANDS WITH QUALIFIED NONPROFIT ORGANIZATIONS, passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

House Committee Substitute for **S.B. 711**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE INCORPORATION OF THE TOWN OF SWEPSONVILLE AND THE SIMULTANEOUS DISSOLUTION OF

THE SWEPSONVILLE SANITARY DISTRICT AND TO INCORPORATE
THE TOWN OF GRANTSBORO.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Boyd-McIntyre, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hightower, Hill, Holmes, Howard, H. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Starnes, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, G. Wilson, Wood, Wright, and Yongue - 105.

Voting in the negative: None.

Excused absences: Representatives Bowie, Braswell, Cunningham, Hiatt, Miller, Smith, and Womble - 7.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 99**, A BILL TO BE ENTITLED AN ACT TO ALLOW CAMDEN COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS COUNTY BOARD OF EDUCATION, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Boyd-McIntyre, Brown, Buchanan, Cansler, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Daughtry, Decker, Dedmon, Dockham, Earle, Easterling, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hightower, Hill, Holmes, Howard, H. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nye, Oldham, Owens, Preston, Ramsey, Rayfield,

Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Starnes, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, G. Wilson, Wood, Wright, and Yongue - 99.

Voting in the negative: Representatives Capps, Davis, Eddins, Ellis, and Nichols - 5.

Excused absences: Representatives Bowie, Braswell, Cunningham, Hiatt, Miller, Smith, and Womble - 7.

CONFEREES APPOINTED

The Speaker announces the following conferees on House Committee Substitute for **S.B. 356**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF REIDSVILLE TO DELAY THE EFFECTIVE DATE OF ANNEXATIONS AS TO A SPECIFIED TRACT AND TO EXEMPT THE ANNEXATION OF TWO CITY LAKES FROM THE CEILING ON SATELLITE ANNEXATIONS AND TO EXEMPT HINSON LAKE DAM FROM THE DAM SAFETY LAW OF 1967: Representative Sexton, Chair; Representatives Cole, Reynolds, and Allred.

The Senate is so notified by Special Message.

CALENDAR (continued)

Committee Substitute for **H.B. 418**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF MOUNT AIRY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, TO MODIFY THE DISTRIBUTION OF THE AVERY COUNTY OCCUPANCY TAX, AND TO REQUIRE PAYMENT OF DELINQUENT TAXES FOR THE TOWNS OF NEWLAND AND SPRUCE PINE AND FOR THE COUNTY OF ALLEGHANY BEFORE RECORDING DEEDS CONVEYING PROPERTY SUBJECT TO THE DELINQUENT TAXES, AND TO VALIDATE BUDGET PROCEDURES OF THE TOWN OF NORWOOD IN STANLY COUNTY, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Beall, Black, Blue, Bonner, Boyd-McIntyre, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Crawford, Culp, Culpepper, Daughtry, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hensley, Hightower, Hill, Holmes, H. Hunter,

Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Miner, Mitchell, Moore, Morgan, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, G. Wilson, Wright, and Yongue - 94.

Voting in the negative: Representatives Baker, Berry, Creech, Davis, Hardy, and Morris - 6.

Excused absences: Representatives Bowie, Braswell, Cunningham, Hiatt, Miller, Smith, and Womble - 7.

Committee Substitute for **H.B. 420**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF KINGS MOUNTAIN TO ANNEX CERTAIN NONCONTIGUOUS PROPERTY, CREATING THE MOSS LAKE AUTHORITY TO ADDRESS ISSUES RELATED TO THE LAKE, AND PROVIDING GUIDELINES FOR THE COLLECTION AND DISBURSEMENT OF FEES GENERATED FROM THE RECREATIONAL USE OF MOSS LAKE.

Representative Clary offers Amendment No. 1 which is adopted by electronic vote (105-1).

Representative Dedmon offers Amendment No. 2 which is adopted by electronic vote (100-3).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Beall, Berry, Black, Bonner, Boyd-McIntyre, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cole, Crawford, Creech, Culp, Culpepper, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gardner, Goodwin, Gray, Gulley, Hall, Hardaway, Hardy, Hensley, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Miner, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nye, Oldham, Owens, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Starnes, Tallent, Thompson, Tolson,

Wainwright, Warner, Warwick, Watson, Wilkins, C. Wilson, G. Wilson, Wood, Wright, and Yongue - 98.

Voting in the negative: Representatives Barbee, Blue, Grady, Mitchell, Nichols, Preston, Sutton, and Weatherly - 8.

Excused absences: Representatives Bowie, Braswell, Cunningham, Hiatt, Miller, Smith, and Womble - 7.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 648, A BILL TO BE ENTITLED AN ACT TO PROVIDE A FOUR-YEAR TERM FOR THE MAYOR OF THE TOWN OF WALLACE, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

The Speaker orders a message sent to the Senate informing that Honorable Body that the House of Representatives stands ready to receive them in Joint Session at the hour appointed.

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber

July 22, 1997

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives that pursuant to **H.J.R. 1241, A JOINT RESOLUTION INVITING DR. JOHN HOPE FRANKLIN TO ADDRESS A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE AND INVITING GOVERNOR JAMES B. HUNT, JR.,** the Senate stands ready to repair to the Hall of the House, there to sit in Joint Session with your Honorable Body.

Respectfully,

S/ Janet B. Pruitt

Principal Clerk

JOINT SESSION

Pursuant to resolution heretofore adopted and exchange of messages, the Sergeant-at-Arms of the House of Representatives announces the arrival of the Senate at the door of the House. The Speaker directs the admittance and seating of that Honorable Body. The President of the Senate, the Honorable Dennis A. Wicker, is seated to the right of the Speaker.

The Sergeant-at-Arms is recognized and he announces the approach of the Chief Justice of the Supreme Court, the Chief Judge of the Court of Appeals and members of the Judiciary who are seated in a body for the Joint Session.

The Sergeant-at-Arms is recognized and he announces the approach of the members of the Council of State and the Governor's Cabinet who are seated in a body for the Joint Session.

The Speaker extends the courtesies of the gallery to all invited guests and courtesies of the floor to all invited guests.

The Speaker of the House relinquishes the gavel to the President of the Senate. The Joint Session is called to order by the President.

The Sergeant-at-Arms of the House is recognized and announces the approach of Governor James B. Hunt, Jr., who is seated for the Joint Session.

The Sergeant-at-Arms of the House announces the approach of Dr. John Hope Franklin. He enters, escorted by Senators Martin of Guilford, Ballance, Gulley, Lucas, Kinnaird, Shaw of Guilford, Horton, and Reeves; and Representatives Michaux, Blue, Luebke, McAllister, Wright, Gray, and Morris.

The President recognizes Senator Martin of Guilford, who presents Dr. John Hope Franklin to the Joint Assembly and he makes the following remarks.

A Challenge to the Nation

"Governor Hunt, Mr. Speaker of the House, Mr. President Pro Tem of the Senate, Lt. Governor, Members of the House and Senate, Ladies and Gentlemen:

"When I came to North Carolina in 1939, it was for as short a stay as possible. If I could complete a doctoral dissertation in a few months or years, that would be just fine, for I was anxious to get on with my career as a professional historian. It never occurred to me that I could launch my career in North Carolina, but when a vacancy turned up at St. Augustine's College when the entire department of history retired, I was offered the job. After due consideration of about one minute I accepted. I became the entire department of history as my predecessor, Ms. Jessie Guernsey, had been for more than three decades. Soon, I was so immersed in my work there and at the State Department of Archives and History that it soon became clear that for the next eight years at St. Augustine's and at what is now North Carolina Central University, this State would do more for my career than I could do for it myself. Perhaps that is why I rushed back to North Carolina as soon as I had the opportunity for early retirement at the University of Chicago. I had known for years that I wished to spend the remainder of my life in the Old North State. For the last seventeen years, I have continued to be amazed at the wisdom of my decision. Where else could I have the distinct honor and rare privilege of addressing a Joint Session of the State Legislature!

"I have always been fascinated by the history of my adopted state. This fascination led me here in the first place, and it had much to do with my return in 1980. Before the word 'liberal' acquired the scorn and contempt that it never deserved, North Carolina prided itself in being a liberal state, easily the most liberal state in the South and one of the most liberal in the entire country. Long before the leading states in the union seriously considered the matter, North Carolina had recognized the importance of establishing state-wide standards and practices to be maintained in the education of its youth by establishing in 1853 a State Department of Public Instruction. Similar advances were made in areas such as criminal justice, mental disability and the problems of orphans and indigents. North Carolinians even prided themselves in enacting laws whose objective was to humanize the slave code, if such were possible.

"Unfortunately, neither the North Carolina delegates to the Constitutional Convention, in Philadelphia in 1787, nor any other members were willing to do anything about the emancipation of the slaves. The War for Independence had secured freedom from England for whites, but no freedom for blacks from whites. Thus, the legacy of the new nation throughout the nineteenth century was six decades of slavery and four decades of efforts to withhold from the former slaves the equality promised them in the Fourteenth and Fifteenth Amendments. The first half of the twentieth century was scarcely better. There is no need to rehearse or relive

the tragic incidents with which so many of you are familiar. They cast an ominous shadow over the present and exerted such an insidious influence on public policies and private attitudes that they cannot possibly be ignored as we seek ways to enter a period of racial reconciliation and peace.

"But while we cannot ignore the past, we should not be consumed by it. That was the dangerous risk that the former Confederates ran in the years following the close of the Civil War. Pouring out their stories about a past that never was, they sought to create a present that could not be. The true lesson to be learned from that experience is to try to understand our present condition and plan for a better tomorrow on the basis of what we have learned. One lesson from the distant past, for example, is that the nation could not prosper half slave and half free. We should also have learned that we could not function as an effective and successful democracy with half of the people disenfranchised and living in ignorance. We should also have learned that a healthy economy is one in which all people can have a chance to earn a living by using their talents and skills, thereby adding to the purchasing power and economic health that will benefit the entire community. That is the kind of economy that can support our educational, social, and other institutions that will, in turn, enrich our lives and make us worthy and contributing citizens to this great enterprise that we call the United States of America.

"While this enterprise is great, I believe that we can agree that it could be greater. It is not enough to be the most powerful nation in the world and yet have large numbers of unemployed people, many of whom are homeless. We, in North Carolina, are among the most fortunate in the nation, with unemployment figures extremely low, and programs for housing that are among the best in the country. Nor is it enough for the most powerful nation in the world to nurture isolationist views that would be scarcely worthy of a small, vulnerable island state. It surely is not enough for the most powerful nation in the world to have an educational system that is impoverished not only in terms of its dilapidated physical facilities, but also in terms of inequities along racial and class lines among schools and school districts. I hope that you will agree that it is not enough for us to move at a snail's pace in wiping out the remnants of racial and ethnic strife. In doing so, we merely add to the burdens we must bear in leading the world toward a lasting peace, devoid of the sentiments and enmities that have already brought on huge wars time and again. We can do better than that, and I hope that you agree.

"A few weeks ago, when the President asked me to chair the Advisory Board to his Initiative on Race, I was flattered, honored, and alarmed. I

knew that he was undertaking something that had not been done before. Of course, there had been earlier presidential commissions to study race, but not as many as one might think, considering that the problem has been with us for more than three hundred years. The Truman Commission that produced the memorable **To Secure These Rights** underscored the prevalence of segregation and discrimination in our society. The Johnson Commission that issued **The Kerner Report** viewed with alarm the deep racial fissures in our society. I was alarmed because the mission of the Clinton Advisory Board was not to produce a report that could be studied, analyzed, and shelved, but to begin a national dialogue on race. This was with a view to stimulating not only constructive discussion but to encouraging communities to participate in a work plan looking toward racial reconciliation on a large scale. Such a mission is enough to alarm even the most disingenuous of people, among whom I wish not to be counted. I was, nevertheless, alarmed by the magnitude of the task and its genuine importance to the future of our nation. It is enough to give anyone cause to pause and, indeed, to tremble.

"This is no time for me to indulge in apprehension about the possibility of success or failure of our mission. Such is possible for any undertaking. I am trying to spend my time assisting my new executive director in setting up a staff, while my colleagues and I on the Advisory Board are attempting to develop a work plan that will undertake to stimulate discussion. At the same time, we shall explore ways to make certain that discussion is followed by the kind of action that will lead to the realization of racial reconciliation and peace. We will focus on specific areas, while, at the same time, encouraging the public to explore any and all aspects of the problem of race. For the moment, we will give special attention to education and the economy. We are persuaded that our schools are in desperate need of improvement in every conceivable way. We believe, moreover, that efforts to improve the system of education all across the land will attract the attention and support of the vast majority of our citizens. We also believe that if we make a valiant and successful attempt to make our schools worthy of a great and wealthy nation, it will have the effect of reducing racial tensions that usually accompany any discussion of education. If all of our schools can become first rate in every respect, there will be less inclination to flee to communities where schools tend to be racially homogeneous, and the focus will, in our humble judgment, be on education and not on segregation. Happily, North Carolina has the good fortune to be moving steadily in that direction under the leadership of Governor Hunt, who enjoys the enviable and well deserved reputation of being one of the leaders in education throughout the United States. I am

confident that this portion of our discussion can rely on strong and creative leadership from the State of North Carolina.

"Effective education is lifelong; and I sincerely believe that any program of education must enlist the involvement of all of us, for in the area on which we will be focusing our attention I doubt that there is anyone who can honestly say that he or she knows precisely what to say and do in all situations involving race. I very much hope, Governor Hunt, that we can have a 'Smart Start' program in learning how to cope with problems of race for adults of every racial and ethnic origin. This will surely help to lessen the tensions in Black-White relations. It will also assist all of us in adjusting to the growing diversity in our population with the increase of Hispanics, Asians, and Africans from the continent of Africa now living in North Carolina.

"Wherever I travel these days, people remark to me, with the slightest tinge of envy, that North Carolina is surely one of the most prosperous states in the Union. They are correct. Things are booming almost everywhere, from Charlotte to Wilmington, with the Triad and the Triangle refusing to yield to the primacy of Charlotte or Wilmington. It is a most favorable time to clean up our 'racial act', if it is at all besmirched, by making certain that there is equal economic opportunity for everyone regardless of race or ethnicity. I had North Carolina in mind when I wrote, some years ago, an essay called 'Land of Room Enough'. In it, I emphasized the fact that in a vast land blessed with virtually limitless natural resources, it was not only unseemly, but crudely selfish to deny economic opportunities to any person or group on the flimsy pretense that the resources were not sufficient for everyone. Surely, this is a land that has sufficient resources and sufficient genius for the development and distribution of those resources to extend its bounty to all.

"The Advisory Board to the President's Initiative on Race will give considerable attention to problems of race in our economy and especially in the workplace. We believe that the people of this nation can develop programs in the economic sphere that will give every man and woman, regardless of race, an equal opportunity to earn a decent living and to rise as high on the ladder of economic success as his or her talents and other gifts will permit. If such an opportunity were to be extended ungrudgingly to all persons, it is my belief and my hope that we will significantly advance the cause of peaceful human relations in our time.

"I am confident that because of North Carolina's unusually strong position in the first two areas on which we will focus, the leadership as well

as the citizens of this State will be able to further the cause to which we are dedicated. I have been greatly encouraged by the response of citizens from every part of the country who have expressed support for any and all efforts to move this country into a new era of race relations. While many responses have come from around the country, many of them have come from citizens of this State. A few days ago, a white citizen of Durham came to my door. I had never seen him before, but he wanted to tell me how important the work is that we are undertaking. He said that he wanted to look at me when he told me that he would do anything, however humble, he could to move our efforts toward success. I must confess that it was reassuring to see one person so determined to stand up and be counted. There are many more, I am certain. I hope that there are many more than I would dare believe. A great challenge lies before us. I solicit your support and your efforts. Mr. Speaker of the House and Mr. President Pro Tem of the Senate, Governor Hunt and Lt. Governor, I am deeply grateful to you and your colleagues for this honor and this opportunity. Thank you very much."

Upon completion of his address, Dr. Franklin is presented with a North Carolina Flag, by Speaker Brubaker and Senator Basnight.

After the presentation, Dr. Franklin leaves the Hall of the House, joined by the Escort Committee.

On motion of Senator Basnight, seconded by Representative Blue, the Joint Session is dissolved and the Senate stands adjourned.

The House resumes its business.

The House recesses at 11:40 a.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for S.B. 389, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE FORSYTH-GUILFORD METROPOLITAN BASEBALL PARK DISTRICT, TO PROVIDE FOR A REFERENDUM

ON BASEBALL PARK FINANCING IN THE DISTRICT, AND TO ALLOW BASEBALL PARK DISTRICTS TO ENTER INTO INSTALLMENT FINANCING AGREEMENTS.

Representative Jarrell offers Amendment No. 1 which is adopted by electronic vote (105-3).

Representative Wood offers Amendment No. 2 which fails of adoption by electronic vote (45-63).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Alexander, Baddour, Barbee, Black, Bonner, Bowie, Brawley, Buchanan, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Daughtry, Dedmon, Earle, Easterling, Fox, Goodwin, Gray, Gulley, Hackney, Hall, Hardy, Hightower, Hill, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Kinney, Luebke, McAllister, McCombs, McMahan, Mercer, Miner, Mitchell, Moore, Morris, Mosley, Neely, Nesbitt, Oldham, Owens, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Saunders, Sherrill, Sutton, Tallent, Tolson, Wainwright, Warner, Weatherly, Wilkins, Wright, and Yongue - 66.

Voting in the negative: Representatives Adams, Aldridge, Arnold, Baker, Beall, Berry, Boyd-McIntyre, Brown, Cansler, Capps, Creech, Davis, Decker, Dockham, Eddins, Ellis, Esposito, Fitch, Gardner, Grady, Hardaway, Holmes, Howard, Justus, Kiser, McComas, McCrary, Morgan, Nichols, Nye, Preston, Russell, Sexton, Shubert, Starnes, Thompson, Warwick, Watson, G. Wilson, and Wood - 40.

Excused absences: Representatives Braswell, Cunningham, Hensley, Hiatt, Miller, Smith, and Womble - 7.

House Committee Substitute for **S.B. 919**, A BILL TO BE ENTITLED AN ACT TO REQUIRE DISCONTINUATION OF TELECOMMUNICATIONS SERVICES USED FOR UNLAWFUL PURPOSES.

Representative Luebke offers Amendment No. 1 which is adopted by electronic vote (100-4).

Representative Hardy offers Amendment No. 2 which is adopted by electronic vote (104-3).

The bill, as amended, passes its third reading, by electronic vote (100-7), and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

House Committee Substitute for **S.B. 320**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE ESTABLISHMENT OF PROGRAMS TO TRAIN LICENSED REGISTERED NURSES TO CONDUCT MEDICAL EXAMINATIONS OF VICTIMS OF SEXUAL OFFENSES, TO CONDUCT MEDICAL PROCEDURES TO COLLECT EVIDENCE FROM THE VICTIMS, AND TO ALLOW DIRECT PAYMENT TO NURSES WHO PROVIDE THIS SERVICE.

Representative Hurley offers Amendment No. 1 which is adopted by electronic vote (106-0).

The bill, as amended, passes its second reading, by electronic vote (104-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

RE-REFERRAL

On motion of Representative Morgan, pursuant to Rule 39.2, Committee Substitute for **H.B. 274**, A BILL TO BE ENTITLED AN ACT TO CREATE THE LOW PRESSURE PIPE NETWORK REPLACEMENT EMERGENCY FUND AND TO APPROPRIATE MONEYS TO THE FUND, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Appropriations.

On motion of Representative Morgan, seconded by Representative Carpenter, the House adjourns at 12:59 p.m. to reconvene July 23 at 10:00 a.m.

ONE HUNDRED FIRST DAY

HOUSE OF REPRESENTATIVES
Wednesday, July 23, 1997

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain.

"O God of Grace and Glory, Holy are You and worthy are You to be praised. We greet You this morning with glad and generous hearts for the wonderful gifts of beauty and grace which You bestow so freely upon us. For family and friends, for life and health, for the opportunity to work with our hands and our minds, we give You thanks.

"Help us to remember those who are less fortunate than us. Help us to find creative ways to minister to them and aid them in their daily pilgrimage in the same manner that You unceasingly minister to us. We would remember before You, those among us who have been sick as well as any family members who stand in need of our prayers. We marvel at how our simple prayers can be a channel for Your redeeming and saving grace in their lives. So, come, and move among us and grant us the serenity of heart and the peace of mind to know that You are with us, and that through You...we can accomplish all that is right and good and trustworthy and just. Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 22 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (99-1).

Leaves of absence are granted Representatives Cunningham, Dickson, Hiatt, and Womble for today. Representatives Bowie and Justus are excused for a portion of the session.

BILL PRESENTED TO THE GOVERNOR

The following bill is duly ratified and presented to the Governor:

H.B. 523, AN ACT TO PROVIDE THAT CONFISCATED WEAPONS MAY BE KEPT FOR DEPARTMENTAL USE BY LAW ENFORCEMENT OFFICERS.

ENROLLED BILL

The following bill is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 648, AN ACT TO PROVIDE A FOUR-YEAR TERM FOR THE MAYOR OF THE TOWN OF WALLACE.

CHAPTERED BILLS

The following bills and resolution are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

S.J.R. 707, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF ROYCE PHELPS "BO" THOMAS, FORMER MEMBER OF THE GENERAL ASSEMBLY. (RESOLUTION 25)

H.B. 617, AN ACT TO CLARIFY THAT SCHOOL BUSES AND SCHOOL ACTIVITY BUSES MAY NOT COMPETE WITH THE PRIVATE SECTOR. (S.L. 1997-315)

S.B. 556, AN ACT REGARDING REQUIREMENTS FOR SPRINKLER SYSTEMS IN FRATERNITY AND SORORITY HOUSES WITHIN THE CITIES OF CHARLOTTE, GREENSBORO, AND RALEIGH AND WITHIN THEIR EXTRATERRITORIAL PLANNING JURISDICTION. (S.L. 1997-316)

H.B. 843, AN ACT TO INCORPORATE THE TOWN OF CEDAR ROCK SUBJECT TO A REFERENDUM. (S.L. 1997-317)

H.B. 96, AN ACT TO DIRECT THE SECRETARY OF REVENUE TO (1) MAKE REFUNDS OF THE INTANGIBLES TAX TO TAXPAYERS WHO PRESERVED THEIR RIGHT TO A REFUND BY PROTESTING PAYMENT WITHIN THE TIME LIMITS SET BY G.S. 105-267 AND (2) NOTIFY AFFECTED INTANGIBLES TAXPAYERS BY MAIL AS SOON AS POSSIBLE OF THE COURT NOTICE IN THE CLASS ACTION LAWSUIT REGARDING REFUNDS. (S.L. 1997-318)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Weatherly for the Committee on State Government:

Committee Substitute for **S.B. 182**, A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN PERMANENT RULES ADOPTED BY THE WILDLIFE RESOURCES COMMISSION TO BECOME EFFECTIVE

UPON APPROVAL BY THE RULES REVIEW COMMISSION, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar of July 24. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Neely for the Committee on Judiciary II:

Committee Substitute for **S.B. 438**, A BILL TO BE ENTITLED AN ACT TO AMEND THE ENFORCEMENT PROCEDURES RELATED TO THE REGISTRATION OF SECURITIES AND TO INVESTMENT RECORDS RELATING TO CRIMINAL INVESTIGATIONS AND ENFORCEMENT PROCEEDINGS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **S.B. 439**, A BILL TO BE ENTITLED AN ACT TO CONFORM THE NORTH CAROLINA SECURITIES ACT AND THE INVESTMENT ADVISERS ACT TO THE NATIONAL SECURITIES MARKETS IMPROVEMENT ACT OF 1996, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

The House committee substitute bill is re-referred to the Committee on Finance. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Committee on Finance:

Committee Substitute for **H.B. 54**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE ADDITIONAL FEE IMPOSED FOR A LEGION OF VALOR SPECIAL PLATE, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

S.B. 534, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF PLEASANT GARDEN, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 974, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE EMPLOYMENT SECURITY COMMISSION TO WAIVE INTEREST ON LATE CONTRIBUTIONS, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

SUBCOMMITTEE REFERRAL

Representative Holmes, Senior Ranking Member and Co-Chair, for the Standing Committee on Appropriations, refers **H.B. 274, A BILL TO BE ENTITLED AN ACT TO CREATE THE LOW PRESSURE PIPE NETWORK REPLACEMENT EMERGENCY FUND AND TO APPROPRIATE MONEYS TO THE FUND**, to the Permanent Subcommittee on Natural and Economic Resources.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 305, A BILL TO BE ENTITLED AN ACT TO INCREASE THE LIMIT FOR AN ASSESSMENT WHEN THE ASSESSMENT IS PAID BY PEANUT PRODUCERS FOR THE PROMOTION OF PEANUTS**, is returned for concurrence in Senate committee substitute and placed on the Calendar of July 24.

Upon concurrence, the Senate committee substitute changes the title.

Senate Committee Substitute No. 2 for **H.B. 337, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE RANDOLPH COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX**, is returned for concurrence in Senate Committee Substitute No. 2 and placed on the Calendar of July 24.

SPECIAL MESSAGE FROM THE SENATE**1997 GENERAL ASSEMBLY**

Senate Chamber

July 23, 1997

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that Senator Roy A. Cooper, III, is elected Majority Leader of the Senate, effective July 17, 1997, for the remainder of the 1997 General Assembly of North Carolina due to the resignation of Senator J. Richard Conder.

Respectfully,

S/ Janet B. Pruitt

*Principal Clerk***CONFERENCE REPORT**

The material Conference Report for Senate Committee Substitute for **H.B. 773**, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE VILLAGE OF BALD HEAD ISLAND, which changes the title, is adopted on its third roll call reading, by the following vote, and the Senate is so notified by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cole, Crawford, Creech, Culp, Culpepper, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hensley, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Reynolds, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Wilkins, C. Wilson, G. Wilson, Wood, Wright, and Yongue - 107.

Voting in the negative: None.

Excused absences: Representatives Cunningham, Dickson, Hiatt, Justus, and Womble - 5.

CALENDAR

Action is taken on the following:

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 848**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN SECONDARY SUPPLIERS OF ELECTRIC SERVICE MAY FURNISH SERVICE WITHIN THE CORPORATE LIMITS OF A CITY WITH WRITTEN CONSENT FROM THE CITY, TO ALLOW THE BOARD OF AN ELECTRIC MEMBERSHIP CORPORATION TO VOTE BY PROXY ON DECISIONS TO ENCUMBER CORPORATE PROPERTY OR TO DISSOLVE THE CORPORATION, AND TO MAKE TECHNICAL CHANGES TO THE LAW REGARDING MUNICIPAL ELECTRIC SERVICE.

Representative Mitchell offers Amendment No. 1 which is adopted by electronic vote (109-0).

The bill, as amended, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

House Committee Substitute for **S.B. 441**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE AMOUNT ALLOCATED TO SHERIFFS FROM THE FEES CHARGED FOR CONCEALED HANDGUN APPLICATIONS AND RENEWALS.

On motion of the Chair, the bill is temporarily displaced.

Committee Substitute for **H.B. 99**, A BILL TO BE ENTITLED AN ACT TO ALLOW CAMDEN COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS COUNTY BOARD OF EDUCATION.

Representative Owens offers Amendment No. 1 which is adopted by electronic vote (111-0).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Black, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Carpenter, Clary, Cole, Crawford, Culpepper, Decker, Dedmon, Dockham, Earle, Easterling, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardy, Hensley, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Jarrell, Jeffus, Kinney, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Reynolds, Rogers, Russell, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Wood, Wright, and Yongue - 97.

Voting in the negative: Representatives Capps, Davis, Eddins, and Nichols - 4.

Excused absences: Representatives Cunningham, Dickson, Hiatt, Justus, and Womble - 5.

Representative Neely states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (98-4).

Committee Substitute for **H.B. 418**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF MOUNT AIRY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, TO MODIFY THE DISTRIBUTION OF THE AVERY COUNTY OCCUPANCY TAX, AND TO REQUIRE PAYMENT OF DELINQUENT TAXES FOR THE TOWNS OF NEWLAND AND SPRUCE PINE AND FOR THE COUNTY OF ALLEGHANY BEFORE RECORDING DEEDS CONVEYING PROPERTY SUBJECT TO THE DELINQUENT TAXES, AND TO VALIDATE BUDGET PROCEDURES OF THE TOWN OF NORWOOD IN STANLY COUNTY, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Arnold, Baddour, Barbee, Beall, Black, Bonner, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Carpenter, Clary, Cole, Crawford, Culpepper, Daughtry, Decker, Dedmon, Dockham, Earle, Easterling, Ellis, Esposito, Fox, Gamble, Gardner, Goodwin, Grady, Gray,

Gulley, Hackney, Hall, Hardaway, Hensley, Hightower, Hill, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Wright, and Yongue - 97.

Voting in the negative: Representatives Aldridge, Allred, Baker, Berry, Bowie, Capps, Creech, Davis, Eddins, Hardy, Morris, and Wood - 12.

Excused absences: Representatives Cunningham, Dickson, Hiatt, Justus, and Womble - 5.

Committee Substitute for **H.B. 420**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF KINGS MOUNTAIN TO ANNEX CERTAIN NONCONTIGUOUS PROPERTY, CREATING THE MOSS LAKE AUTHORITY TO ADDRESS ISSUES RELATED TO THE LAKE, AND PROVIDING GUIDELINES FOR THE COLLECTION AND DISBURSEMENT OF FEES GENERATED FROM THE RECREATIONAL USE OF MOSS LAKE, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baddour, Baker, Berry, Black, Blue, Bonner, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culpepper, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gardner, Goodwin, Gray, Gulley, Hall, Hardy, Hensley, Hightower, Hill, Howard, H. Hunter, R. Hunter, Hurley, Ives, Jarrell, Jeffus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nye, Oldham, Owens, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Wilkins, C. Wilson, G. Wilson, Wright, and Yongue - 94.

Voting in the negative: Representatives Aldridge, Barbee, Bowie, Culp, Grady, Hackney, Holmes, Insko, Miller, Miner, Mitchell, Nichols, Preston, Russell, Sutton, Weatherly, and Wood - 17.

Excused absences: Representatives Cunningham, Dickson, Hiatt, Justus, and Womble - 5.

House Committee Substitute for **S.B. 441**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE AMOUNT ALLOCATED TO SHERIFFS FROM THE FEES CHARGED FOR CONCEALED HANDGUN APPLICATIONS AND RENEWALS, which was temporarily displaced, is before the Body.

On motion of Representative Brawley and without objection, the bill is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

House Committee Substitute for **S.B. 389**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE FORSYTH-GUILFORD METROPOLITAN BASEBALL PARK DISTRICT, TO PROVIDE FOR A REFERENDUM ON BASEBALL PARK FINANCING IN THE DISTRICT, AND TO ALLOW BASEBALL PARK DISTRICTS TO ENTER INTO INSTALLMENT FINANCING AGREEMENTS.

Representative Adams offers Amendment No. 3 which is adopted by electronic vote (108-1).

Representative Mitchell requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (109-1).

Representative Wood offers Amendment No. 4 which fails of adoption by electronic vote (44-67).

The bill, as amended, passes its third reading, by the following vote and is ordered engrossed and sent to the Senate for concurrence in House committee substitute by Special Message.

Those voting in the affirmative are: Representatives Adams, Alexander, Baddour, Barbee, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Cansler, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Daughtry, Dedmon, Earle, Easterling, Fox, Gamble, Goodwin, Gray, Gulley, Hackney, Hall, Hardy, Hensley, Hightower, Hill, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Kinney, Luebke, McAllister, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morris, Mosley, Neely, Nesbitt, Oldham, Owens, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Saunders, Sherrill, Tallent, Tolson, Wainwright, Warner, Weatherly, Wilkins, C. Wilson, Wright, and Yongue - 74.

Voting in the negative: Representatives Aldridge, Allred, Arnold, Baker, Beall, Berry, Brawley, Brown, Buchanan, Capps, Creech, Davis, Decker, Dockham, Eddins, Ellis, Esposito, Fitch, Gardner, Grady, Hardaway, Holmes, Howard, Kiser, McComas, Morgan, Nichols, Nye, Preston, Russell, Sexton, Shubert, Smith, Starnes, Thompson, Warwick, Watson, G. Wilson, and Wood - 39.

Excused absences: Representatives Cunningham, Dickson, Hiatt, Justus, and Womble - 5.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute No. 2 for **S.B. 660**, A BILL TO BE ENTITLED AN ACT TO LICENSE ATHLETIC TRAINERS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Aldridge, Alexander, Allred, Barbee, Beall, Black, Bonner, Bowie, Boyd-McIntyre, Brown, Buchanan, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Decker, Dockham, Earle, Easterling, Esposito, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hardaway, Hill, Holmes, Howard, Hurley, Insko, Ives, Jarrell, Jeffus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, Mercer, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Russell, Saunders, Sexton, Sherrill, Shubert, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, Wright, and Yongue - 79.

Voting in the negative: Representatives Adams, Arnold, Baddour, Baker, Berry, Blue, Braswell, Brawley, Cansler, Capps, Creech, Daughtry, Davis, Dedmon, Eddins, Ellis, Fitch, Gamble, Hall, Hardy, Hensley, Hightower, R. Hunter, Michaux, Neely, Nichols, Rogers, Smith, Starnes, Sutton, G. Wilson, and Wood - 32.

Excused absences: Representatives Cunningham, Dickson, Hiatt, Justus, and Womble - 5.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 1114**, A BILL TO BE ENTITLED AN ACT TO ASSESS A FEE OF FIFTY DOLLARS FOR WORTHLESS CHECKS COLLECTED THROUGH THE BAD CHECK COLLECTION

PROGRAM, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Bowie, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Creech, Culp, Daughtry, Davis, Decker, Dedmon, Dockham, Easterling, Eddins, Ellis, Esposito, Fox, Gardner, Grady, Gray, Gulley, Hackney, Hall, Hardy, Hightower, Hill, Holmes, H. Hunter, Hurley, Ives, Jarrell, Jeffus, Justus, Kiser, McComas, McCombs, McCrary, McMahan, Mercer, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nichols, Nye, Oldham, Preston, Ramsey, Rayfield, Redwine, Reynolds, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Wood, and Yongue - 90.

Voting in the negative: Representatives Adams, Bonner, Boyd-McIntyre, Culpepper, Earle, Fitch, Gamble, Goodwin, Hensley, Insko, Kinney, Luebke, McAllister, Michaux, Miller, Nesbitt, Owens, Rogers, and Sutton - 19.

Excused absences: Representatives Cunningham, Dickson, Hiatt, and Womble - 4.

On motion of the Chair, the House recesses at 11:35 a.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute No. 2 for **H.B. 1231**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SUPPLEMENTAL SOURCES OF REVENUE FOR LOCAL GOVERNMENT TRANSIT FINANCING.

Representative Cole requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

Representative Carpenter offers Amendment No. 1 which fails of adoption by electronic vote (42-65).

Representative Miller offers Amendment No. 2 which fails of adoption by electronic vote (38-72).

Representative Allred offers Amendment No. 3 which fails of adoption by electronic vote (30-80).

Representative Carpenter offers Amendment No. 4 which fails of adoption by electronic vote (42-66).

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Baddour, Baker, Barbee, Beall, Black, Blue, Bonner, Boyd-McIntyre, Braswell, Buchanan, Church, Clary, Crawford, Culp, Daughtry, Davis, Dedmon, Dockham, Earle, Easterling, Fox, Gamble, Goodwin, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hightower, Hill, H. Hunter, R. Hunter, Hurley, Ives, Jarrell, Jeffus, Justus, Kinney, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Miner, Mitchell, Moore, Morris, Mosley, Neely, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Saunders, Sexton, Sherrill, Smith, Sutton, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Wright, and Yongue - 78.

Voting in the negative: Representatives Aldridge, Allred, Arnold, Berry, Brawley, Brown, Cansler, Capps, Carpenter, Creech, Culpepper, Decker, Eddins, Ellis, Esposito, Fitch, Gardner, Grady, Holmes, Howard, Kiser, Luebke, Michaux, Miller, Morgan, Nesbitt, Nichols, Nye, Russell, Shubert, Starnes, Warner, Warwick, and Wood - 34.

Excused Vote: Representative Cole.

Excused absences: Representatives Bowie, Cunningham, Dickson, Hiatt, and Womble - 5.

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber

July 23, 1997

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that pursuant to the Proclamation issued by Governor James B. Hunt, Jr., on July 23, 1997, William R. Purcell is appointed to fill the seat vacated by the resignation of Senator J. Richard Conder. Senator Purcell is seated with full privileges as a member of the Senate representing the 17th Senatorial District for the remainder of the 1997 General Assembly of North Carolina.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
July 23, 1997

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute bill No 2 to **S.B. 297** (House Committee Substitute No. 2), **A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS GOVERNING CHARTER SCHOOLS**, and requests conferees. The President Pro Tempore appoints:

Senator Gulley, Chairman
Senator Winner
Senator Lee
Senator Hartsell

on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

RE-REFERRAL

On motion of Representative Daughtry and without objection, House Committee Substitute for S.B. 699, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE PLACE OF BUSINESS OF A MOTOR VEHICLE DEALER WHO SELLS ONLY TRAILERS OR SEMI-TRAILERS DOES NOT HAVE TO MEET THE REQUIREMENTS SET FOR AN ESTABLISHED OFFICE OR SALESROOM OF A MOTOR VEHICLE DEALER, is withdrawn from the Committee on Judiciary I and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Morgan, seconded by Representative H. Hunter, the House adjourns at 1:27 p.m. to reconvene July 24 at 10:00 a.m.

ONE HUNDRED SECOND DAY**HOUSE OF REPRESENTATIVES**

Thursday, July 24, 1997

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain.

"Lord of heaven and earth, we confess that we have not always loved You with our whole heart. We have failed to do Your will. We have not loved our neighbors as we have loved ourselves. We have broken Your laws. Forgive us, we pray; and free us for joyful obedience.

"Shine down Your grace upon us as we seek to do Your work. In this period of impasse, help us to find ways to communicate with each other through words of kindness and with acts of grace. Keep us from selfish desires and ambitions and move our hearts to seek out areas of compromise. As our brothers and sisters look to end the gridlock, show them the way. Guide their steps, open their hearts and minds, and point them in the direction of selflessness and servanthood. Help us all to see that this is the

place where You will be standing and waiting for us, if we truly seek to walk in the ways of God. Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 23 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (88-0).

Leaves of absence are granted Representatives Blue, Bowie, Cunningham, Dickson, Easterling, Goodwin, Hiatt, Mosley, Sutton, and Womble for today. Representatives Baker, R. Hunter, and McComas are excused for a portion of the session.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

H.B. 251, AN ACT TO CREATE THE WELL CONTRACTORS CERTIFICATION COMMISSION, TO REQUIRE THAT WELL CONTRACTORS BE CERTIFIED, AND TO MAKE VARIOUS AMENDMENTS TO THE WELL CONSTRUCTION ACT, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

H.B. 1121, AN ACT TO PROMOTE THE SAFE REUSE OF PROPERTIES WHERE ACTUAL CONTAMINATION, OR THE POSSIBILITY OF CONTAMINATION, HAS IMPEDED REDEVELOPMENT.

ENROLLED BILLS

The following bills are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 653, AN ACT TO AMEND THE CHARTER OF THE TOWN OF WENTWORTH, SUBJECT TO A REFERENDUM.

H.B. 722, AN ACT TO ALLOW THE CITY OF WASHINGTON TO NEGOTIATE ANNEXATION AGREEMENTS.

H.B. 773, AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE VILLAGE OF BALD HEAD ISLAND.

CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

H.B. 739, AN ACT TO STRENGTHEN AND CLARIFY THE DEALERS AND MANUFACTURERS LICENSING LAW. (S.L. 1997-319)

S.B. 248, AN ACT TO CREATE THE BROUGHTON HOSPITAL JOINT SECURITY FORCE AND TO AMEND THE LAW ESTABLISHING THE BLACK MOUNTAIN JOINT SECURITY FORCE. (S.L. 1997-320)

S.B. 648, AN ACT TO PROVIDE A FOUR-YEAR TERM FOR THE MAYOR OF THE TOWN OF WALLACE. (S.L. 1997-321)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committee are presented:

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

Senate Committee Substitute for **H.B. 699**, A BILL TO BE ENTITLED AN ACT TO GRANT AUTHORITY TO THE TOWN OF NEWPORT TO ADDRESS ABANDONED STRUCTURES IN THE SAME MANNER AS MUNICIPALITIES IN COUNTIES WITH A POPULATION OF OVER ONE HUNDRED SIXTY-THREE THOUSAND, with recommendation that the House do not concur; request conferees.

The bill is placed on the Calendar of July 28.

Senate Committee Substitute for **H.B. 967**, A BILL TO BE ENTITLED AN ACT TO PROVIDE SELECTION OF EITHER OF THE TWO NEAREST ROUTES TO A NON-LIGHT-TRAFFIC ROAD, with recommendation that the House concur.

The bill is placed on the Calendar of July 28.

Senate Committee Substitute for **H.B. 1032**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE COMMISSION FOR HEALTH SERVICES TO ADOPT A RULE TO AUTHORIZE THE USE OF DESIGN

CRITERIA FOR MUNICIPAL SOLID WASTE LANDFILLS THAT COMPLIES WITH FEDERAL LAW AND THAT PROVIDES FOR AN ALTERNATE LANDFILL LINER THAT IS AT LEAST AS PROTECTIVE AS THE CURRENTLY AUTHORIZED LANDFILL LINER, with recommendation that the House concur.

The bill is placed on the Calendar of July 28.

House Committee Substitute for **S.B. 455**, A BILL TO BE ENTITLED AN ACT TO IMPROVE HMO SERVICES BY PROTECTING PHYSICIAN COMMUNICATIONS REGARDING TREATMENT, REQUIRING COVERAGE FOR EMERGENCY CARE, AND REDUCING THE APPROVAL PERIOD FOR RATE FILINGS, with a favorable report as to House Committee Substitute Bill No. 2, which changes the title, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 2 is placed on the Calendar. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 565**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE APPLICATION OF THE COMMISSIONER OF BANK'S RATE TO VARIABLE RATE LOANS WITH ADJUSTMENT PERIODS GREATER THAN ONE MONTH AND TO REPEAL THE LAWS GOVERNING VARIABLE RATE LOANS OF MANUFACTURED HOMES AND INSTALLMENT RATES AND FEES, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 826, A BILL TO BE ENTITLED AN ACT TO PROVIDE "QUICK TAKE" PROCEDURES IN EMINENT DOMAIN PROCEEDINGS BY SCHOOL BOARDS, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

CONFEREES APPOINTED

The Speaker announces the following conferees on House Committee Substitute No. 2 for **S.B. 297**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS GOVERNING CHARTER SCHOOLS: Representative Daughtry, Chair; Representatives Russell, Shubert, Sexton, Moore, and Fox.

The Senate is so notified by Special Message.

CALENDAR

Action is taken on the following:

Senate Committee Substitute No. 2 for **H.B. 337**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE RANDOLPH COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX.

On motion of Representative Culp, the House concurs in Senate Committee Substitute No. 2, by electronic vote (89-7), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 305**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE LIMIT FOR AN ASSESSMENT WHEN THE ASSESSMENT IS PAID BY PEANUT PRODUCERS FOR THE PROMOTION OF PEANUTS.

On motion of Representative Morgan, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (100-0), and the bill is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 168**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE EXAMINATION AND CERTIFICATION FEES COLLECTED UNDER THE NURSING PRACTICE ACT, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baddour, Barbee, Beall, Black, Bonner, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Carpenter, Church, Clary, Crawford, Culp, Culpepper, Daughtry, Decker, Dedmon, Dockham, Earle, Esposito, Fox, Gamble, Gardner, Grady, Gray, Gulley, Hackney, Hall,

Hardaway, Hensley, Hightower, Hill, Holmes, Howard, H. Hunter, Hurley, Insko, Ives, Jeffus, Justus, Kinney, Kiser, Luebke, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Neely, Nesbitt, Nye, Oldham, Owens, Preston, Ramsey, Redwine, Reynolds, Rogers, Russell, Sexton, Sherrill, Shubert, Smith, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Wilkins, C. Wilson, G. Wilson, Wood, Wright, and Yongue - 89.

Voting in the negative: Representatives Berry, Capps, Cole, Creech, Davis, Eddins, Ellis, Nichols, Rayfield, Saunders, and Starnes - 11.

Excused absences: Representatives Baker, Blue, Bowie, Cunningham, Dickson, Easterling, Goodwin, Hiatt, R. Hunter, McComas, Mosley, Sutton, and Womble - 13.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 975**, A BILL TO BE ENTITLED AN ACT TO REWRITE THE LAWS CONCERNING EMPLOYER AND EMPLOYER GROUP WORKERS' COMPENSATION SELF-INSURANCE AND CODIFY RELATED ADMINISTRATIVE RULES AND TO PROVIDE FOR GUIDELINES FOR PERSONS AND ENTITIES THAT ADMINISTER OR SERVICE WORKERS' COMPENSATION BUSINESS FOR SELF-INSURED EMPLOYERS AND EMPLOYER GROUPS, passes its second reading, by electronic vote (98-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 208**, A BILL TO BE ENTITLED AN ACT PERTAINING TO THE SANITIZATION OF COOKING UTENSILS PROVIDED BY LODGING ESTABLISHMENTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE, passes its second reading, by electronic vote (98-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 374**, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM SALES AND USE TAX NUTRITIONAL SUPPLEMENTS SOLD BY CHIROPRACTORS, passes its second reading, by electronic vote (98-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

House Committee Substitute No. 2 for **S.B. 660**, A BILL TO BE ENTITLED AN ACT TO LICENSE ATHLETIC TRAINERS.

Representative Hensley offers Amendment No. 1 which is adopted by electronic vote (52-50).

Representative Baddour offers Amendment No. 2 which fails of adoption by electronic vote (44-58).

Representative Brawley offers Amendment No. 3 which fails of adoption by electronic vote (44-59).

Representative Insko offers Amendment No. 4 which fails of adoption by electronic vote (29-77).

Representative Morgan calls the previous question on the passage of the bill and the call is sustained by electronic vote (64-41).

The bill, as amended, passes its third reading, by the following vote and is ordered engrossed and sent to the Senate for concurrence in House Committee Substitute No. 2.

Those voting in the affirmative are: Representatives Aldridge, Alexander, Allred, Barbee, Beall, Black, Bonner, Braswell, Brown, Buchanan, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Daughtry, Decker, Dedmon, Dockham, Earle, Esposito, Fox, Gardner, Grady, Gray, Gulley, Hackney, Hill, Holmes, Howard, H. Hunter, Hurley, Ives, Jarrell, Jeffus, Justus, Kiser, Luebke, McComas, McCombs, McCrary, McMahan, Mercer, Miller, Miner, Mitchell, Moore, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Russell, Saunders, Sexton, Sherrill, Shubert, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Wright, and Yongue - 78.

Voting in the negative: Representatives Adams, Arnold, Baddour, Baker, Berry, Boyd-McIntyre, Brawley, Cansler, Capps, Creech, Davis, Eddins, Ellis, Gamble, Hall, Hardaway, Hardy, Hensley, Hightower, Insko, Kinney, Michaux, Neely, Nichols, Rogers, Smith, Starnes, and Wood - 28.

Excused absences: Representatives Blue, Bowie, Cunningham, Dickson, Easterling, Goodwin, Hiatt, R. Hunter, Mosley, Sutton, and Womble - 11.

Committee Substitute for **H.B. 1114**, A BILL TO BE ENTITLED AN ACT TO ASSESS A FEE OF FIFTY DOLLARS FOR WORTHLESS CHECKS COLLECTED THROUGH THE BAD CHECK COLLECTION PROGRAM.

Representative Eddins offers Amendment No. 1 which is adopted by electronic vote (103-0).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Eddins, Ellis, Esposito, Fox, Gamble, Gardner, Grady, Gray, Gulley, Hackney, Hall, Hardy, Hightower, Hill, Holmes, Howard, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McComas, McCombs, McCrary, McMahan, Mercer, Miner, Mitchell, Moore, Morgan, Morris, Neely, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Russell, Sexton, Sherrill, Shubert, Smith, Starnes, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Wood, Wright, and Yongue - 95.

Voting in the negative: Representatives Adams, Bonner, Hardaway, Hensley, H. Hunter, Michaux, Miller, and Rogers - 8.

Excused absences: Representatives Blue, Bowie, Cunningham, Dickson, Easterling, Goodwin, Hiatt, R. Hunter, Mosley, Sutton, and Womble - 11.

Committee Substitute No. 2 for **H.B. 1231**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SUPPLEMENTAL SOURCES OF REVENUE FOR LOCAL GOVERNMENT TRANSIT FINANCING.

Pursuant to Rule 24.1A(c), the excused vote for Representative Cole from July 23 is continued.

Representative Luebke offers Amendment No. 5 which fails of adoption by electronic vote (42-63).

The bill passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Baddour, Baker, Barbee, Beall, Black, Bonner, Boyd-McIntyre, Braswell, Buchanan, Church, Clary, Crawford, Culp, Daughtry, Davis, Dedmon, Dockham, Earle, Fox, Gamble, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hightower, Hill, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Kinney, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miner, Mitchell, Moore, Morris, Neely, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Saunders, Sexton, Sherrill, Smith, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Wright, and Yongue - 72.

Voting in the negative: Representatives Aldridge, Allred, Arnold, Berry, Brawley, Brown, Cansler, Capps, Carpenter, Creech, Culpepper, Decker, Eddins, Ellis, Esposito, Fitch, Gardner, Grady, Holmes, Howard, Kiser, Luebke, Miller, Morgan, Nesbitt, Nichols, Nye, Russell, Shubert, Starnes, Warner, Warwick, and Wood - 33.

Excused vote: Representative Cole.

Excused absences: Representatives Blue, Bowie, Cunningham, Dickson, Easterling, Goodwin, Hiatt, Mosley, Sutton, and Womble - 10.

CONFERENCE REPORT

Representative Sexton sends forth the Conference Report on House Committee Substitute for **S.B. 356**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF REIDSVILLE TO DELAY THE EFFECTIVE DATE OF ANNEXATIONS AS TO A SPECIFIED TRACT AND TO EXEMPT THE ANNEXATION OF TWO CITY LAKES FROM THE CEILING ON SATELLITE ANNEXATIONS AND TO EXEMPT HINSON LAKE DAM FROM THE DAM SAFETY LAW OF 1967. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of July 28.

On motion of Representative Morgan, seconded by Representative Sherrill, the House adjourns at 12:10 p.m. to reconvene Monday, July 28, 1997, at 6:00 p.m.

ONE HUNDRED THIRD DAY

HOUSE OF REPRESENTATIVES

Monday, July 28, 1997

The House meets at 6:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain.

"Gracious God, who willingly hears our prayers and listens to even the minutest of all our needs, pour out Your Spirit upon us as we seek Your presence and guidance once more. You have told us not to be repetitive in our asking, and yet, as we gather for another week of legislation, political posturing, and endless waiting...we can do nothing else but be repetitive in our asking once more. Keep our paths straight. Protect us from unrighteousness and temptation. Grant the Conferees, who will decide upon the budget, the discernment to hear You speaking in their midst and directing their paths.

"Hear all of us, O God, and have mercy upon us. Lead us in the direction of Truth and Peace. Not the false sense of peace that the world seeks to lure us into, but the peace of God which governs the winds and the movements of the earth...that peace which searches every heart...that peace which knows every innermost thought of every human being. That peace which ultimately brings us to our knees, as we humble ourselves before Thee. It is for this peace we seek, and it is in the name of the one who brings this peace that we pray. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 24 has been examined

and found correct. Upon his motion, the Journal is approved as written by electronic vote (94-2).

Leaves of absence are granted Representatives Berry, Fox, Nichols, and Shubert for today. Representative R. Hunter is excused for a portion of the session.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

S.B. 172, AN ACT TO AUTHORIZE THE ISSUANCE OF HUNTING LICENSES FOR CERTAIN DISABLED HUNTERS WHO HAVE NOT COMPLIED WITH THE HUNTING SAFETY COURSE REQUIREMENT.

S.B. 178, AN ACT TO ALLOW THE SECRETARY OF CULTURAL RESOURCES TO PROPOSE LANDS TO BE ACQUIRED WITH FUNDS FROM THE NATURAL HERITAGE TRUST FUND, TO AUTHORIZE EXPENDITURES FROM THE FUND FOR CONSERVATION AND PROTECTION PLANNING AND EDUCATIONAL PROGRAMS FOR OWNERS OF NATURE PRESERVES UNDER THE NATURE PRESERVES ACT, AND TO AUTHORIZE THE BOARD OF TRUSTEES OF THE FUND TO ENTER INTO AGREEMENTS FOR THE MANAGEMENT OF ACQUIRED LANDS WITH QUALIFIED NONPROFIT ORGANIZATIONS.

S.B. 208, AN ACT PERTAINING TO THE SANITIZATION OF COOKING UTENSILS PROVIDED BY LODGING ESTABLISHMENTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE.

S.B. 371, AN ACT TO EXTEND THE INTERNATIONAL COMMERCIAL ARBITRATION ACT TO PROVIDE FOR CONCILIATION OF DISPUTES.

S.B. 374, AN ACT TO EXEMPT FROM SALES AND USE TAX NUTRITIONAL SUPPLEMENTS SOLD BY CHIROPRACTORS.

S.B. 975, AN ACT TO REWRITE THE LAWS CONCERNING EMPLOYER AND EMPLOYER GROUP WORKERS' COMPENSATION SELF-INSURANCE AND CODIFY RELATED ADMINISTRATIVE RULES AND TO PROVIDE FOR GUIDELINES FOR PERSONS AND ENTITIES THAT ADMINISTER OR SERVICE WORKERS'

COMPENSATION BUSINESS FOR SELF-INSURED EMPLOYERS
AND EMPLOYER GROUPS.

**H.B. 14, AN ACT TO MODIFY THE SALES TAX DEFINITION OF
CUSTOM COMPUTER SOFTWARE**

**H.B. 305, AN ACT TO INCREASE THE LIMIT FOR AN
ASSESSMENT WHEN THE ASSESSMENT IS PAID BY PEANUT
PRODUCERS FOR THE PROMOTION OF PEANUTS AND AMENDING
THE STRAWBERRY ASSESSMENT ACT TO IMPROVE THE
COLLECTION OF ASSESSMENTS.**

ENROLLED BILL

The following bill is properly enrolled, duly ratified, and sent to the
office of the Secretary of State:

**H.B. 337, AN ACT TO AUTHORIZE RANDOLPH COUNTY TO
LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX.**

CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number,
and presented to the office of the Secretary of State:

**H.B. 653, AN ACT TO AMEND THE CHARTER OF THE TOWN
OF WENTWORTH, SUBJECT TO A REFERENDUM. (S.L. 1997-322)**

**H.B. 722, AN ACT TO ALLOW THE CITY OF WASHINGTON TO
NEGOTIATE ANNEXATION AGREEMENTS. (S.L. 1997-323)**

**H.B. 773, AN ACT TO REVISE AND CONSOLIDATE THE
CHARTER OF THE VILLAGE OF BALD HEAD ISLAND. (S.L. 1997-324)**

**H.B. 88, AN ACT TO GRANT SUBPOENA POWER TO THE
STATE BOARD OF EDUCATION IN CASES INVOLVING THE
SUSPENSION OR REVOCATION OF CERTIFICATES. (S.L. 1997-325)**

**H.B. 1061, AN ACT TO ESTABLISH LIFETIME SPORTSMAN
LICENSES FOR CERTAIN DISABLED RESIDENTS AND DISABLED
VETERANS AND TO PROHIBIT THE UNLAWFUL USE OF
FACILITIES PROVIDED FOR DISABLED SPORTSMEN. (S.L. 1997-326)**

S.B. 894, AN ACT TO PROVIDE THAT DEALERS HAVE TEN WORKING DAYS TO SEND MOTOR VEHICLE FEES TO THE STATE. (S.L. 1997-327)

S.B. 466, AN ACT TO EXEMPT FROM STATE INCOME TAX ALL OF THE ANNUAL INVESTMENT INCOME EARNED BY CONTRIBUTORS ON DEPOSITS IN THE PARENTAL SAVINGS TRUST FUND AS WELL AS THE DISTRIBUTIONS TO BENEFICIARIES OF THAT FUND. (S.L. 1997-328)

S.B. 921, AN ACT TO EXEMPT LICENSED NONPROFIT CONTINUING CARE FACILITIES FROM THE LICENSURE REQUIREMENTS OF THE NORTH CAROLINA CHARITABLE SOLICITATIONS ACT. (S.L. 1997-329)

H.B. 484, AN ACT TO PROVIDE FOR THE RECORDATION OF NOTICES OF OPEN DUMPS IN THE OFFICE OF THE REGISTER OF DEEDS. (S.L. 1997-330)

S.B. 141, AN ACT TO EXEMPT CERTAIN GOVERNMENTAL ENTITIES FROM STATE PURCHASE AND CONTRACT REQUIREMENTS. (S.L. 1997-331)

S.B. 234, AN ACT TO INCREASE THE STATUTORY AMOUNTS THAT DETERMINE THE ASSESSMENT OF SAFE DRIVER INCENTIVE PLAN POINTS AND TO PROVIDE FOR A GRADUATED INSURANCE POINT AND SURCHARGE SCHEDULE FOR BODILY INJURY CAUSED IN AUTOMOBILE ACCIDENTS. (S.L. 1997-332)

S.B. 251, AN ACT TO MODIFY THE COMMON LAW TO PERMIT THE CREATION OF EASEMENTS, RESTRICTIONS, AND COVENANTS BY A LANDOWNER. (S.L. 1997-333)

S.B. 562, AN ACT TO INCREASE THE AMOUNT OF THE PROCESSING FEE CHARGED FOR RETURNED CHECKS. (S.L. 1997-334)

S.B. 1059, AN ACT TO ENSURE THAT DEALER PLATES ARE USED ONLY ON VEHICLES DRIVEN FOR A BUSINESS PURPOSE OF THE DEALERSHIP AND TO LIMIT THE NUMBER OF TRANSPORTER PLATES THAT MAY BE ISSUED TO A DEALER. (S.L. 1997-335)

H.B. 646, AN ACT TO REVISE THE UNIFORM COMMERCIAL CODE TO ESTABLISH A PRODUCTION MONEY SECURITY INTEREST IN CROPS THAT HAS PRIORITY OVER OTHER SECURITY INTERESTS. (S.L. 1997-336)

H.B. 1059, AN ACT TO AMEND THE COASTAL AREA MANAGEMENT ACT TO ALLOW CERTAIN TYPES OF REDEVELOPMENT WITHIN URBAN WATERFRONTS THAT HISTORICALLY HAVE A PATTERN OF URBAN-LEVEL DEVELOPMENT. (S.L. 1997-337)

S.B. 943, AN ACT TO ENACT THE MEDICAL ASSISTANCE PROVIDER FALSE CLAIMS ACT. (S.L. 1997-338)

H.B. 299, AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO DEVELOP SPECIAL MOTOR VEHICLE REGISTRATION PLATES FOR VIETNAM VETERANS. (S.L. 1997-339)

H.B. 1044, AN ACT TO AUTHORIZE COUNTIES TO DESIGNATE AN OFFICIAL TO RECEIVE SALES TAX REFUND INFORMATION. (S.L. 1997-340)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committee are presented:

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

Senate Committee Substitute for **H.B. 515**, A BILL TO BE ENTITLED AN ACT TO ENACT THE ENVIRONMENTALLY SOUND POLICY ACT (ESP) AND TO PROVIDE A MENU OF MEASURES TO PROTECT HEALTH AND THE ENVIRONMENT, with recommendation that the House do not concur; request conferees.

The bill is placed on the Calendar of July 29.

Committee Substitute for **S.B. 194**, A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS ENVIRONMENTAL LAWS TO: (1) PROVIDE FOR CONTINUING EDUCATION REQUIREMENTS FOR, AND THE EXPIRATION AND RENEWAL OF, CERTIFICATES ISSUED BY THE WATER POLLUTION CONTROL SYSTEM OPERATORS CERTIFICATION COMMISSION; (2) INCLUDE CONSIDERATION OF

THE COMPLIANCE HISTORY IN OTHER STATES OF AN APPLICANT FOR A PERMIT UNDER THE COASTAL AREA MANAGEMENT ACT; (3) CLARIFY THE DISTINCTION BETWEEN A PUBLIC HEARING AND A PUBLIC MEETING IN CONNECTION WITH AN APPLICATION FOR A WATER QUALITY PERMIT; (4) ALLOW THE ENVIRONMENTAL MANAGEMENT COMMISSION TO DELEGATE ITS POWERS BY RESOLUTION RATHER THAN BY RULE; (5) CLARIFY THE ASSESSMENT OF CIVIL PENALTIES FOR CONTINUING VIOLATIONS OF AIR QUALITY STANDARDS; (6) REESTABLISH A SCHEDULE OF SIX-YEAR STAGGERED TERMS FOR THE MINING COMMISSION; AND (7) REESTABLISH A SCHEDULE OF TWO-YEAR STAGGERED TERMS FOR THE NORTH CAROLINA PARKS AND RECREATION AUTHORITY, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar of July 29. The Senate committee substitute bill is placed on the Unfavorable Calendar.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 176**, A BILL TO BE ENTITLED AN ACT TO CLARIFY RESPONSIBILITIES AND LIABILITY FOR EQUINE ACTIVITIES, is returned for concurrence in Senate committee substitute and placed on the Calendar of July 29.

Upon concurrence, the Senate committee substitute changes the title.

Senate Committee Substitute for **H.B. 750**, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF FOREST HILLS, SUBJECT TO A REFERENDUM, is returned for concurrence in Senate committee substitute and placed on the Calendar of July 29.

Senate Committee Substitute for **H.B. 1023**, A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE PRETRIAL RELEASE AND BOND FORFEITURE PROCEDURE, is returned for concurrence in Senate committee substitute and referred to the Committee on Rules, Calendar, and Operations of the House.

Upon concurrence, the Senate committee substitute changes the title.

INTRODUCTION OF PAGES

Pages for the week of July 28 are introduced to the membership. They are: Holland Locke Barksdale of Guilford; Sarah Wood Batchelor of Wake; Anna Elizabeth Bridges of Wake; John Frederick Criscitiello of Washington; Andrea Lynne Dennis of Wake; Christopher Joel Hannah of Wake; Megan Amanda Heath of Lenoir; Deavon Hobson of Harnett; Corey Adam Holtz of Cumberland; Jonathan A. Lindsey of Iredell; Francis Daniel McComas of New Hanover; Laureen B. McComas of New Hanover; Sarah Kathleen Price of Wake; Bryan Thomas Proctor of Nash; Emily Watts Remington of New Hanover; Richard M. Webb of Wake; Dameon Jerod Whitaker of Hertford; Susan Westley Williams of Granville; and Jennifer Adelle Windham of Johnston.

CONFERENCE REPORT

Representative Sexton moves the adoption of the following Conference Report.

House Committee Substitute for S.B. 356

To: The President of the Senate

The Speaker of the House of Representatives

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 356, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF REIDSVILLE TO DELAY THE EFFECTIVE DATE OF ANNEXATIONS AS TO A SPECIFIED TRACT AND TO EXEMPT THE ANNEXATION OF TWO CITY LAKES FROM THE CEILING ON SATELLITE ANNEXATIONS AND TO EXEMPT HINSON LAKE DAM FROM THE DAM SAFETY LAW OF 1967, House Committee Substitute Third Edition Engrossed 5/26/97, submit the following report:

The Senate concurs in the House Committee Substitute Third Edition Engrossed 5/26/97 with an amendment:

- (1) Delete page 2, line 40, through page 3, line 7;
- (2) On page 3, line 8, renumber Section 3 as Section 2; and
- (3) On page 1, lines 5 and 6 delete the words: "AND TO EXEMPT HINSON LAKE DAM FROM THE DAM SAFETY LAW OF 1967".

The House agrees to the same

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 23, 1997.

*Conferees for the
Senate*

S/ Virginia Foxx, Chairman
S/ Brad Miller

*Conferees for the
House of Representatives*

S/ Wayne Sexton, Chair
S/ E. Nelson Cole
S/ Dennis Reynolds
S/ C. D. Allred

The Conference Report, which changes the title, is adopted, by electronic vote (107-0), and the Senate is so notified by Special Message.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 699**, A BILL TO BE ENTITLED AN ACT TO GRANT AUTHORITY TO THE TOWN OF NEWPORT TO ADDRESS ABANDONED STRUCTURES IN THE SAME MANNER AS MUNICIPALITIES IN COUNTIES WITH A POPULATION OF OVER ONE HUNDRED SIXTY-THREE THOUSAND.

On motion of Representative Smith, the House does not concur in the Senate committee substitute, by electronic vote (105-1), and conferees are requested.

The Senate is so notified by Special Message.

Senate Committee Substitute for **H.B. 967**, A BILL TO BE ENTITLED AN ACT TO PROVIDE SELECTION OF EITHER OF THE TWO NEAREST ROUTES TO A NON-LIGHT-TRAFFIC ROAD.

Pursuant to Rule 24.1A(c), the request that Representative McComas be excused from voting on April 24 is continued.

On motion of Representative Buchanan, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (97-10), and the bill is ordered enrolled and presented to the Governor.

The Speaker votes "aye". The adjusted vote total is (98-10).

Senate Committee Substitute for **H.B. 1032**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE COMMISSION FOR HEALTH SERVICES TO ADOPT A RULE TO AUTHORIZE THE USE OF DESIGN CRITERIA FOR MUNICIPAL SOLID WASTE LANDFILLS THAT COMPLIES WITH FEDERAL LAW AND THAT PROVIDES FOR AN ALTERNATE LANDFILL LINER THAT IS AT LEAST AS PROTECTIVE AS THE CURRENTLY AUTHORIZED LANDFILL LINER.

On motion of Representative Allred, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (110-1), and the bill is ordered enrolled and presented to the Governor.

House Committee Substitute for **S.B. 182**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE WILDLIFE RESOURCES COMMISSION TO ADOPT CERTAIN TEMPORARY RULES.

Representative Hightower offers Amendment No. 1 which is adopted by electronic vote (110-2).

The bill, as amended, passes its second reading by electronic vote (104-7).

Representative Brawley objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute No. 2 for **S.B. 585**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF LUMBERTON TO LEVY AN ADDITIONAL, TEMPORARY ROOM OCCUPANCY TAX, TO MODIFY THE PURPOSES FOR WHICH THE LUMBERTON ROOM OCCUPANCY TAX CAN BE USED, AND TO AUTHORIZE THE CITY OF SHELBY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Arnold, Baddour, Barbee, Beall, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Carpenter, Clary, Cole, Crawford, Culp, Culpepper, Cunningham, Decker, Dedmon, Dockham, Earle, Easterling, Esposito, Fitch, Gamble, Gardner, Goodwin, Grady,

Gray, Gulley, Hackney, Hall, Hardaway, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Miller, Miner, Mitchell, Moore, Morgan, Mosley, Neely, Nesbitt, Oldham, Owens, Preston, Ramsey, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Smith, Starnes, Sutton, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 96.

Voting in the negative: Representatives Aldridge, Allred, Baker, Capps, Creech, Daughtry, Davis, Eddins, Ellis, Hardy, Morris, Nye, Rayfield, and Wood - 14.

Excused absences: Representatives Berry, Fox, R. Hunter, Nichols, and Shubert - 5.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 534, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF PLEASANT GARDEN, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Smith, Starnes, Sutton, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 112.

Voting in the negative: None.

Excused absences: Representatives Berry, Fox, R. Hunter, Nichols, and Shubert - 5.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 664**, A BILL TO BE ENTITLED AN ACT TO GRANT AUTHORITY TO THE CITY OF GREENVILLE AND THE TOWNS OF FARMVILLE AND BETHEL TO ADDRESS ABANDONED STRUCTURES IN THE SAME MANNER AS MUNICIPALITIES IN COUNTIES WITH A POPULATION OF OVER ONE HUNDRED SIXTY-THREE THOUSAND, AND TO AUTHORIZE THE CITY OF BURLINGTON TO CONVEY CERTAIN SURPLUS PROPERTY BY PRIVATE SALE TO HABITAT FOR HUMANITY.

Representative Hardy offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

House Committee Substitute for **S.B. 168**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE EXAMINATION AND CERTIFICATION FEES COLLECTED UNDER THE NURSING PRACTICE ACT, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House committee substitute.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baddour, Baker, Barbee, Beall, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Crawford, Creech, Culp, Culpepper, Davis, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Gardner, Gray, Gulley, Hackney, Hall, Hardy, Hensley, Hightower, Hill, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nye, Oldham, Owens, Preston, Ramsey, Redwine, Rogers, Russell, Sexton, Sherrill, Sutton, Thompson, Tolson, Wainwright, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 92.

Voting in the negative: Representatives Allred, Cole, Cunningham, Decker, Fitch, Gamble, Goodwin, Grady, Hardaway, Hiatt, Luebke, Rayfield, Saunders, Smith, Starnes, Warner, and Wood - 17.

Excused absences: Representatives Berry, Fox, Nichols, and Shubert - 4.

Pursuant to Rule 36(a), the following resolution appears on today's Calendar.

H.J.R. 1240, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF DAVID E. REYNOLDS, FORMER EXECUTIVE DIRECTOR OF THE NORTH CAROLINA LEAGUE OF MUNICIPALITIES, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

CONFEREES APPOINTED

The Speaker announces the following conferees on Senate Committee Substitute for **H.B. 699**, A BILL TO BE ENTITLED AN ACT TO GRANT AUTHORITY TO THE TOWN OF NEWPORT TO ADDRESS ABANDONED STRUCTURES IN THE SAME MANNER AS MUNICIPALITIES IN COUNTIES WITH A POPULATION OF OVER ONE HUNDRED SIXTY-THREE THOUSAND: Representative Culp, Chair; Representatives Smith and Preston.

The Senate is so notified by Special Message.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan and without objection, House Committee Substitute for **S.B. 862**, A BILL TO BE ENTITLED AN ACT TO PROVIDE GREATER FLEXIBILITY TO THE UNIVERSITY OF NORTH CAROLINA AND OTHER AGENCIES IN NEGOTIATING CERTAIN CONTRACTS AND CAPITAL PROJECTS, TO INCREASE THE BENCHMARK FOR PURCHASES BY THE UNIVERSITY OF NORTH CAROLINA AND OTHER STATE AGENCIES, AND TO AUTHORIZE EMPLOYEE PAYROLL DEDUCTIONS FOR CERTAIN DISCRETIONARY PRIVILEGES OF UNIVERSITY SERVICE AT THE UNIVERSITY OF NORTH CAROLINA, is withdrawn from the Calendar pursuant to Rule 36(a), and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Morgan, seconded by Representative Hackney, the House adjourns at 7:19 p.m. to reconvene July 29 at 10:00 a.m.

ONE HUNDRED FOURTH DAY**HOUSE OF REPRESENTATIVES**

Tuesday, July 29, 1997

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Bishop Marion Edwards, Resident Bishop, North Carolina Annual Conference, United Methodist Church, Raleigh Area.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 28 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (98-1).

Leaves of absence are granted Representatives Fox, Nichols, and Shubert for today.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

S.B. 848, AN ACT TO PROVIDE THAT CERTAIN SECONDARY SUPPLIERS OF ELECTRIC SERVICE MAY FURNISH SERVICE WITHIN THE CORPORATE LIMITS OF A CITY WITH WRITTEN CONSENT FROM THE CITY, TO ALLOW THE BOARD OF AN ELECTRIC MEMBERSHIP CORPORATION TO VOTE BY PROXY ON DECISIONS TO ENCUMBER CORPORATE PROPERTY OR TO DISSOLVE THE CORPORATION, AND TO MAKE TECHNICAL CHANGES TO THE LAW REGARDING MUNICIPAL ELECTRIC SERVICE.

S.B. 919, AN ACT TO REQUIRE DISCONTINUATION OF TELECOMMUNICATIONS SERVICES USED FOR UNLAWFUL PURPOSES.

H.B. 967, AN ACT TO PROVIDE SELECTION OF EITHER OF THE TWO NEAREST ROUTES TO A NON-LIGHT-TRAFFIC ROAD, AND TO SPECIFY THAT THE DEPARTMENT OF TRANSPORTATION MAY ADOPT A RULE ALLOWING SPECIAL WEIGHT PERMITS TO BE ISSUED FOR VEHICLES TRANSPORTING WOOD RESIDUALS

ON NON-INTERSTATE HIGHWAYS, AS AUTHORIZED BY EXISTING STATE LAW.

H.B. 1032, AN ACT TO DIRECT THE COMMISSION FOR HEALTH SERVICES TO ADOPT A RULE TO AUTHORIZE THE USE OF DESIGN CRITERIA FOR MUNICIPAL SOLID WASTE LANDFILLS THAT COMPLIES WITH FEDERAL LAW AND THAT PROVIDES FOR ALTERNATE LANDFILL LINERS THAT ARE AT LEAST AS PROTECTIVE AS THE CURRENTLY AUTHORIZED LANDFILL LINER.

ENROLLED BILL

The following bill is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 356, AN ACT TO ALLOW THE CITY OF REIDSVILLE TO DELAY THE EFFECTIVE DATE OF ANNEXATIONS AS TO A SPECIFIED TRACT AND TO EXEMPT THE ANNEXATION OF TWO CITY LAKES FROM THE CEILING ON SATELLITE ANNEXATIONS.

CHAPTERED BILL

The following resolution is properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

H.J.R. 1240, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF DAVID E. REYNOLDS, FORMER EXECUTIVE DIRECTOR OF THE NORTH CAROLINA LEAGUE OF MUNICIPALITIES. (RESOLUTION 26)

INTRODUCTION OF BILL AND RESOLUTION

The following is introduced, read the first time and referred to committee:

By Representatives McMahan, Aldridge, Brawley, Buchanan, Daughtry, Dockham, Esposito, Goodwin, Holmes, Miner, Neely, Russell, Sherrill, Thompson, and C. Wilson:

H.J.R. 1243, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF CHARLES KURALT, is referred to the Committee on Rules, Calendar, and Operations of the House.

SPECIAL MESSAGE FROM THE SENATE**1997 GENERAL ASSEMBLY**

Senate Chamber

July 28, 1997

Mr. Speaker:

On **S.B. 356**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF REIDSVILLE TO DELAY THE EFFECTIVE DATE OF ANNEXATIONS AS TO A SPECIFIED TRACT AND TO EXEMPT THE ANNEXATION OF TWO CITY LAKES FROM THE CEILING ON SATELLITE ANNEXATIONS, which House Committee Substitute bill proposes to change the title, upon concurrence, to read **S.B. 356** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF REIDSVILLE TO DELAY THE EFFECTIVE DATE OF ANNEXATIONS AS TO A SPECIFIED TRACT AND TO EXEMPT THE ANNEXATION OF TWO CITY LAKES FROM THE CEILING ON SATELLITE ANNEXATIONS AND TO EXEMPT HINSON LAKE DAM FROM THE DAM SAFETY LAW OF 1967, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees and the title reads **S.B. 356** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF REIDSVILLE TO DELAY THE EFFECTIVE DATE OF ANNEXATIONS AS TO A SPECIFIED TRACT AND TO EXEMPT THE ANNEXATION OF TWO CITY LAKES FROM THE CEILING ON SATELLITE ANNEXATIONS.

Pursuant to the message that your Honorable Body has adopted the report of the conferees, the President has ordered the bill enrolled.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for **H.B. 408**, A BILL TO BE ENTITLED AN ACT TO CREATE A FUEL PIPING LICENSE FOR PLUMBING AND

HEATING CONTRACTORS, TO AUTHORIZE THE BOARD OF EXAMINERS OF PLUMBING, HEATING, AND FIRE SPRINKLER CONTRACTORS TO CREATE OTHER RESTRICTED LICENSE CLASSIFICATIONS, AND TO ALLOW THE REVOCATION OR SUSPENSION OF A LICENSE FOR FAILURE TO COMPLY WITH RULES PROMULGATED BY THE BOARD, is returned for concurrence in Senate amendment and placed on the Calendar of July 30.

Upon concurrence, the Senate amendment changes the title.

Senate Committee Substitute for **H.B. 510**, A BILL TO BE ENTITLED AN ACT TO PERMIT THE LOCAL BOARDS OF EDUCATION IN CERTAIN COUNTIES TO SCHEDULE LONGER SCHOOL DAYS SO AS TO OFFSET DAYS LOST DUE TO INCLEMENT WEATHER, is returned for concurrence in Senate committee substitute and placed on the Calendar of July 30.

Upon concurrence, the Senate committee substitute changes the title and changes the bill from local to public.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 750**, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF FOREST HILLS, SUBJECT TO A REFERENDUM.

On motion of Representative Beall, the House concurs in the Senate committee substitute, by electronic vote (106-1), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 176**, A BILL TO BE ENTITLED AN ACT TO CLARIFY RESPONSIBILITIES AND LIABILITY FOR EQUINE ACTIVITIES.

On motion of Representative Ives, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (78-36), and the bill is ordered enrolled and presented to the Governor.

Senate Committee Substitute for **H.B. 515**, A BILL TO BE ENTITLED AN ACT TO ENACT THE ENVIRONMENTALLY SOUND POLICY

ACT (ESP) AND TO PROVIDE A MENU OF MEASURES TO PROTECT HEALTH AND THE ENVIRONMENT.

Pursuant to Rule 24.1A(c), the request that Representative Neely be excused from voting on April 29 is continued.

Representative Morgan moves that the House do not concur in the Senate committee substitute and requests conferees.

Representative Morgan calls the previous question on the motion and the call is sustained by electronic vote (90-23).

The motion not to concur carries by electronic vote (113-1).

The Speaker appoints Representative Morgan, Chair; Representatives H. Hunter, Watson, McComas, and Howard as conferees on the part of the House and the Senate is so notified by Special Message.

House Committee Substitute No. 2 for **S.B. 585**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF LUMBERTON TO LEVY AN ADDITIONAL, TEMPORARY, ROOM OCCUPANCY TAX, TO MODIFY THE PURPOSES FOR WHICH THE LUMBERTON ROOM OCCUPANCY TAX CAN BE USED, AND TO AUTHORIZE THE CITY OF SHELBY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House Committee Substitute No. 2.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baddour, Beall, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Church, Clary, Cole, Crawford, Culp, Culpepper, Cunningham, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Fitch, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Neely, Nesbitt, Oldham, Owens, Preston, Ramsey, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Wright, and Yongue - 96.

Voting in the negative: Representatives Allred, Baker, Berry, Capps, Carpenter, Creech, Daughtry, Davis, Eddins, Esposito, Hardy, R. Hunter, Morris, Nye, Rayfield, and Wood - 16.

Excused absences: Representatives Fox, Nichols, and Shubert - 3.

S.B. 534, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF PLEASANT GARDEN, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Esposito, Fitch, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Neely, Nesbitt, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 109.

Voting in the negative: Representatives Carpenter and Nye - 2.

Excused absences: Representatives Fox, Nichols, and Shubert - 3.

House Committee Substitute for **S.B. 182, A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN PERMANENT RULES ADOPTED BY THE WILDLIFE RESOURCES COMMISSION TO BECOME EFFECTIVE UPON APPROVAL BY THE RULES REVIEW COMMISSION.**

Representative Brawley moves that the bill be withdrawn from the Calendar and placed on the Calendar of July 31. The motion fails by electronic vote (34-79).

On motion of Representative Decker, the bill is temporarily displaced.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 125**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE SECRETARY OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO ENCOURAGE THE REDEVELOPMENT OF BROWNFIELDS BY APPROVING THE IMPOSITION OF RESTRICTIONS ON INACTIVE HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITES AND ON OIL OR HAZARDOUS SUBSTANCE DISCHARGES OR RELEASES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

House Committee Substitute for **S.B. 194**, A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS ENVIRONMENTAL LAWS.

Representative Morgan offers Amendment No. 1 which is adopted by electronic vote (111-0).

Representative Neely requests that he be excused from voting on this bill, under Rule 24.1A, and this request is granted.

The bill, as amended, passes its second reading, by electronic vote (101-4), and there being no objection is read a third time.

The bill, as amended, passes its third reading, by electronic vote (106-7), and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

House Committee Substitute for **S.B. 182**, A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN PERMANENT RULES ADOPTED BY THE WILDLIFE RESOURCES COMMISSION TO BECOME EFFECTIVE UPON APPROVAL BY THE RULES REVIEW COMMISSION, which was temporarily displaced, is before the Body.

Representative Decker offers Amendment No. 2.

On motion of the Chair, the bill is temporarily displaced.

On motion of Representative Morgan, seconded by Representative H. Hunter, the House adjourns at 12:20 p.m. to reconvene July 30 at 10:00 a.m.

ONE HUNDRED FIFTH DAY**HOUSE OF REPRESENTATIVES**

Wednesday, July 30, 1997

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain.

"Lord, we are tired of the old sickness---give us the new health. We are tired of the old failure---give us the new success. We are tired of the old sin---give us the new holiness. Make us new creatures, beckoned by a new heaven.

"Out of the old, O God, may we build the new. Forth from the death of what has been...let spring the life of what is to be. May we learn from the past and do better. May we stand on the past and reach up.

"We render our thanks to Thee, O Most High, for order and a mind to think; for beauty and a spirit to respond; for holiness to meet the desires of our souls. Amen."

By: Henry M. Edmonds

From: *Beginning the Day: A book of morning prayers*

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 29 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (92-1).

Leaves of absence are granted Representatives Barbee, Eddins, Hackney, Nichols, Shubert, and Wainwright for today.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

S.B. 320, AN ACT TO ALLOW THE ESTABLISHMENT OF PROGRAMS TO TRAIN LICENSED REGISTERED NURSES TO CONDUCT MEDICAL EXAMINATIONS OF VICTIMS OF SEXUAL OFFENSES, TO CONDUCT MEDICAL PROCEDURES TO COLLECT

EVIDENCE FROM THE VICTIMS, AND TO ALLOW DIRECT PAYMENT TO NURSES WHO PROVIDE THIS SERVICE.

H.B. 176, AN ACT TO CLARIFY RESPONSIBILITIES AND LIABILITY FOR EQUINE ACTIVITIES AND TO CLARIFY THE DUTIES OF ROLLER SKATING RINK OPERATORS AND SKATERS AT ROLLER SKATING RINKS RELATING TO LIABILITY.

H.B. 524, AN ACT TO INCREASE THE CAP ON THE AMOUNT OF DRIVERS LICENSE RESTORATION FEES THAT ARE DEPOSITED IN A FUND FOR ALCOHOL STUDIES ENDOWMENT AT THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL.

ENROLLED BILLS

The following bills are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 534, AN ACT TO INCORPORATE THE TOWN OF PLEASANT GARDEN.

H.B. 750, AN ACT TO INCORPORATE THE VILLAGE OF FOREST HILLS, SUBJECT TO A REFERENDUM.

CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

S.B. 625, AN ACT TO MAKE SPEEDING IN EXCESS OF THE POSTED SPEED ON SCHOOL GROUNDS AN INFRACTION AND TO INCREASE THE PENALTY FOR SPEEDING IN A SCHOOL ZONE. (S.L. 1997-341)

H.B. 337, AN ACT TO AUTHORIZE RANDOLPH COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX. (S.L. 1997-342)

S.B. 356, AN ACT TO ALLOW THE CITY OF REIDSVILLE TO DELAY THE EFFECTIVE DATE OF ANNEXATIONS AS TO A SPECIFIED TRACT AND TO EXEMPT THE ANNEXATION OF TWO CITY LAKES FROM THE CEILING ON SATELLITE ANNEXATIONS. (S.L. 1997-343)

**REPORT OF STANDING COMMITTEE AND PERMANENT
SUBCOMMITTEE**

The following report from standing committee is presented:

By Representative Neely for the Committee on Judiciary II:

Senate Committee Substitute for **H.B. 448**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE GOVERNOR'S RECOMMENDATIONS ON DRIVING WHILE IMPAIRED, with recommendation that the House concur.

The bill is placed on the Calendar of July 31.

SUBCOMMITTEE REFERRAL

Representative Holmes, Senior Ranking Member and Co-Chair, for the Standing Committee on Appropriations, refers **H.B. 949**, A BILL TO BE ENTITLED AN ACT TO IMPROVE CHILD PROTECTION BY ALLOWING DISCLOSURE OF CERTAIN RECORDS AND TO APPROPRIATE ONE HUNDRED THOUSAND DOLLARS FOR THIS PURPOSE, to the Permanent Subcommittee on Human Resources.

SPECIAL MESSAGE FROM THE SENATE**1997 GENERAL ASSEMBLY**

Senate Chamber

July 29, 1997

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute bill No. 2 to **S.B. 660** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO LICENSE ATHLETIC TRAINERS, and requests conferees. The President Pro Tempore appoints:

Senator Hoyle, Chairman

Senator Perdue

Senator Lee

Senator Shaw of Guilford

on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

The Speaker appoints Representative McMahan, Chair; Representatives Mitchell, Grady, and Hill as conferees on the part of the House and the Senate is so notified by Special Message.

CALENDAR

Action is taken on the following:

Committee Substitute for **H.B. 408**, A BILL TO BE ENTITLED AN ACT TO CREATE A FUEL PIPING LICENSE FOR PLUMBING AND HEATING CONTRACTORS, TO AUTHORIZE THE BOARD OF EXAMINERS OF PLUMBING, HEATING, AND FIRE SPRINKLER CONTRACTORS TO CREATE OTHER RESTRICTED LICENSE CLASSIFICATIONS, AND TO ALLOW THE REVOCATION OR SUSPENSION OF A LICENSE FOR FAILURE TO COMPLY WITH RULES PROMULGATED BY THE BOARD.

Pursuant to Rule 24.1A(c), the request that Representative Hightower be excused from voting on May 19 is continued.

On motion of Representative Ives, the House concurs in the Senate amendment, which changes the title, by electronic vote (103-0), and the bill is ordered enrolled and presented to the Governor.

Senate Committee Substitute for **H.B. 510**, A BILL TO BE ENTITLED AN ACT TO PERMIT THE LOCAL BOARDS OF EDUCATION IN CERTAIN COUNTIES TO SCHEDULE LONGER SCHOOL DAYS SO AS TO OFFSET DAYS LOST DUE TO INCLEMENT WEATHER.

On motion of Representative Fox, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (100-2), and the bill is ordered enrolled and presented to the Governor.

House Committee Substitute for **S.B. 182**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE WILDLIFE RESOURCES COMMISSION TO

ADOPT CERTAIN TEMPORARY RULES, with pending Amendment No. 2, is before the Body.

Representative Decker withdraws Amendment No. 2.

Representative Decker offers Amendment No. 3 which is adopted by electronic vote (106-0).

Representative Carpenter offers Amendment No. 4 which is adopted by electronic vote (108-0).

The bill, as amended, passes its third reading, by electronic vote (107-0), and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 250**, A BILL TO BE ENTITLED AN ACT TO CLARIFY PERFECTION OF A SECURITY INTEREST IN AFTER-ACQUIRED REAL PROPERTY, passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 571**, A BILL TO BE ENTITLED AN ACT TO PLACE ON THE SCHEDULE II CONTROLLED SUBSTANCES LIST THE DRUG REMIFENTANIL AND SALTS THEREOF, IN ACCORDANCE WITH FEDERAL LAW, passes its second reading, by electronic vote (106-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 833**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA.

Representative Crawford offers Amendment No. 1 which is adopted by electronic vote (107-0).

The bill, as amended, passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute No. 2 for **H.B. 54**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE ADDITIONAL FEE IMPOSED FOR A LEGION OF VALOR SPECIAL PLATE AND A PEARL HARBOR SURVIVOR SPECIAL PLATE, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

Representative Womble states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (109-0).

The bill passes its third reading and is ordered sent to the Senate.

RE-REFERRAL

On motion of Representative Miner and without objection, Senate Committee Substitute for **H.B. 651**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE ISSUANCE OF CERTAIN ALCOHOLIC BEVERAGE CONTROL PERMITS IN INTERSTATE ECONOMIC DEVELOPMENT ZONES, is withdrawn from the Committee on Commerce and re-referred to the Committee on Rules, Calendar, and Operations of the House.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan and without objection, House Committee Substitute No. 2 for **S.B. 561**, A BILL TO BE ENTITLED AN ACT TO REMEDY THE INADVERTENT EXCLUSION OF DULY SWORN AND COMMISSIONED COMPANY POLICE OFFICERS FROM THE CONCEALED HANDGUN STATUTES, TO EXEMPT ACTIVE OR RETIRED COMPANY POLICE OFFICERS FROM THE TRAINING REQUIRED TO QUALIFY FOR A CONCEALED HANDGUN PERMIT IF THE OFFICER APPLIES FOR THE PERMIT WITHIN TWO YEARS OF RETIREMENT, AND TO CLARIFY THE MENTAL HEALTH

REQUIREMENTS FOR A CONCEALED HANDGUN PERMIT, is withdrawn from the Calendar pursuant to Rule 36(a), and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Morgan, seconded by Representative Thompson, the House adjourns at 10:40 a.m. to reconvene July 31 at 10:00 a.m.

ONE HUNDRED SIXTH DAY

HOUSE OF REPRESENTATIVES

Thursday, July 31, 1997

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by the Speaker.

The following remarks and prayer are offered by the Reverend Jim Harry, House Chaplain.

"Perhaps you have heard what it means when a preacher takes off his watch: absolutely nothing! Well, I promise I won't take up much of your time, but I would like in these waning days together to offer my pastoral observations if I might.

"Through our time together, I have been using the terms 'brother' and 'sister' in here, when referring to a particular Representative. One who may have been hospitalized, for example. I don't do this by happen-stance, nor do I do it to be glib. Furthermore, I do not speak as if we were all members of one mutual religious congregation. However, when I use these terms of affection and admiration, I am doing so for two reasons: One is, very simply, that it is part of who I am and how I understand all of us to be God's children, and, therefore, partners in this journey of life together. Secondly, I do it for your benefit to serve as a reminder amidst sometimes partisanship and so-called - 'sides of the aisle' - to remind us that we are all in this together.

"Once again, I was troubled by a newspaper article in yesterday's paper detailing what the writer described as a false sense of camaraderie and friendship that exists between the House and the Senate and, in particular, between Democrats and Republicans.

"As I have observed these chambers for the past two-and-a-half months, I have seen just the opposite. Perhaps this will explain my naiveté, nonetheless this is what I have seen. I have witnessed what appears to be the friendly (albeit sometimes heated) but nonetheless friendly debating of issues and bills among people who [often will, immediately after the vote, will walk through the aisles to exchange handshakes and signs of greeting and reconciliation with one another]. In observing this and then reading the newspaper articles, I must draw the conclusion that one of two things must be occurring. 1} You are genuinely in this together, and understanding the function of a democratic government, - you debate, take your stand, vote, and accept the outcome with grace and dignity among one another, or 2} You really don't like each other and the handshakes are false imitations of a peace and reconciliation that you don't really intend to believe or to follow.

"I don't know the answer to that question, and I honestly don't know where you stand. I suspect, although I would like to be naïve and think otherwise, that there are some of both present within these hallowed walls. Before we pray, I want to invite you to go back to that time in your life; however far back it may be, to the time when you first felt the inner call to run for public office. And, more importantly, to the time when those you loved most and trusted, affirmed you in your calling and told you that you should run because you possessed the gifts and abilities that can make a difference in the lives of many people. Do you remember the sense of awe when you first saw your name on a road sign? Do you remember election night when you were greeted by the hugs and kisses of family and friends? Do you remember placing your hand on the Bible and taking an oath to serve?

"I call you brothers and sisters because I wish to extend to you, as your Chaplain, words of genuine affection and to say that I see in this great big world, in this large state, and in this not so large room, people who have been entrusted to care for and look after, not just the needs of ourselves, but the needs of greater good for the people of this state...and these too, are God's children and, thus, our brothers and sisters.

"I challenge you, my brothers and sisters, to prove the pundits wrong. I challenge you to force the reporters to come up with something other than that which will sell newspapers. I challenge you to live as a people set apart - having set your hand upon a Bible - having taken an oath of service - having agreed to work together. I challenge you to do this and to finish it in such a way that you will honor each other and ultimately bring honor to God, the Father of us all. Let us pray.

"Almighty God, Heavenly Father, You created us in Your image, male and female You created us. You breathed into us the breath of life and gave us dominion over the earth, the land, the seas, and even the government of Your people.

"Forgive us when we have spoiled Your creation. Forgive us when we have allowed our own selfish desires to get in the way of the greater needs of Your people. Free us from the grips of unhealthy politics, and grant unto us a spirit of peace and reconciliation and friendship that will enable us to work together as brothers and sisters, as friends who genuinely care for each other and for the greater needs of this State. Grant that we may all go from this place as better people...as people who have grown in our gifts and graces...and as people who perhaps have grown in our faith a little closer to Thy redeeming side. We pray in the name of the One who was, who is, and is to come. Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 30 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (103-1).

Leaves of absence are granted Representatives Brown, Church, Hiatt, Nichols, Shubert, Tallent, Wainwright, Watson, and Wood for today.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

S.B. 168, AN ACT TO INCREASE THE EXAMINATION AND CERTIFICATION FEES COLLECTED UNDER THE NURSING PRACTICE ACT.

S.B. 250, AN ACT TO CLARIFY PERFECTION OF A SECURITY INTEREST IN AFTER-ACQUIRED REAL PROPERTY.

S.B. 389, AN ACT TO ESTABLISH THE FORSYTH-GUILFORD METROPOLITAN BASEBALL PARK DISTRICT, TO PROVIDE FOR A REFERENDUM ON BASEBALL PARK FINANCING IN THE DISTRICT, AND TO ALLOW BASEBALL PARK DISTRICTS TO ENTER INTO INSTALLMENT FINANCING AGREEMENTS.

S.B. 571, AN ACT TO PLACE ON THE SCHEDULE II CONTROLLED SUBSTANCES LIST THE DRUG REMIFENTANIL AND SALTS THEREOF, IN ACCORDANCE WITH FEDERAL LAW.

H.B. 239, AN ACT TO SPECIFY THAT ONE MEMBER OF THE ENVIRONMENTAL MANAGEMENT COMMISSION SHALL HAVE EMPLOYMENT EXPERIENCE IN INDUSTRIAL AIR AND WATER POLLUTION CONTROL AT AN INDUSTRIAL MANUFACTURING FACILITY, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

H.B. 408, AN ACT TO CREATE A FUEL PIPING LICENSE FOR PLUMBING AND HEATING CONTRACTORS, TO AUTHORIZE THE BOARD OF EXAMINERS OF PLUMBING, HEATING, AND FIRE SPRINKLER CONTRACTORS TO CREATE OTHER RESTRICTED LICENSE CLASSIFICATIONS, TO ALLOW THE REVOCATION OR SUSPENSION OF A LICENSE FOR FAILURE TO COMPLY WITH RULES PROMULGATED BY THE BOARD, AND TO CLARIFY WHEN A PERSON PERFORMING ON-SITE ASSEMBLY OF FACTORY DESIGNED DRAIN SYSTEMS IS EXEMPT FROM THE PLUMBING LICENSURE REQUIREMENTS.

H.B. 510, AN ACT TO ALLOW THE STATE BOARD OF EDUCATION TO ADOPT POLICIES SETTING MINIMUM SCORES FOR CERTIFICATION OF PROFESSIONAL SCHOOL PERSONNEL.

CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

S.B. 534, AN ACT TO INCORPORATE THE TOWN OF PLEASANT GARDEN. (S.L. 1997-344)

H.B. 750, AN ACT TO INCORPORATE THE VILLAGE OF FOREST HILLS, SUBJECT TO A REFERENDUM. (S.L. 1997-345)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committee are presented:

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

Committee Substitute No. 2 for **H.B. 63**, A BILL TO BE ENTITLED AN ACT TO RESTORE EXTRATERRITORIAL PLANNING POWERS

OF THE TOWN OF RIVER BEND BUT PROHIBIT IT FROM MAKING INVOLUNTARY ANNEXATIONS, with recommendation that the House concur.

The bill is placed on the Calendar of August 4.

Senate Committee Substitute for **H.B. 651**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE ISSUANCE OF CERTAIN ALCOHOLIC BEVERAGE CONTROL PERMITS IN INTERSTATE ECONOMIC DEVELOPMENT ZONES, with recommendation that the House concur.

The bill is placed on the Calendar of August 4.

Committee Substitute No. 2 for **H.B. 794**, A BILL TO BE ENTITLED AN ACT TO MAKE SUBSTANTIVE CHANGES TO THE NORTH CAROLINA ENGINEERING AND LAND SURVEYING ACT, with a favorable report as to House Committee Substitute Bill No. 3, unfavorable as to House Committee Substitute Bill No. 2.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 3 is placed on the Calendar. House Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

Senate Committee Substitute for **H.B. 1052**, A BILL TO BE ENTITLED AN ACT TO ALLOW INSURERS TO LIMIT OR EXCLUDE EXCESS LIABILITY COVERAGE FOR UNINSURED AND UNDERINSURED MOTORISTS AS PROVIDED BY LAW, with recommendation that the House concur.

The bill is placed on the Calendar of August 4.

H.J.R. 1243, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF CHARLES KURALT, with a favorable report.

Pursuant to Rule 36(a), the resolution is placed on the Calendar.

House Committee Substitute No. 2 for **S.B. 561**, A BILL TO BE ENTITLED AN ACT TO REMEDY THE INADVERTENT EXCLUSION OF DULY SWORN AND COMMISSIONED COMPANY POLICE OFFICERS FROM THE CONCEALED HANDGUN STATUTES, TO EXEMPT ACTIVE OR RETIRED COMPANY POLICE OFFICERS FROM THE TRAINING REQUIRED TO QUALIFY FOR A CONCEALED HANDGUN PERMIT IF THE OFFICER APPLIES FOR THE PERMIT

WITHIN TWO YEARS OF RETIREMENT, AND TO CLARIFY THE MENTAL HEALTH REQUIREMENTS FOR A CONCEALED HANDGUN PERMIT, with a favorable report as to House Committee Substitute Bill No. 3, unfavorable as to House Committee Substitute Bill No. 2.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 3 is placed on the Calendar. House Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 627**, A BILL TO BE ENTITLED AN ACT TO CLARIFY AND EXPAND THE CLASSIFICATION OF PERSONS WHO MAY OBTAIN A DOMESTIC VIOLENCE PROTECTIVE ORDER, AND TO CLARIFY THE CIRCUMSTANCES UNDER WHICH MAGISTRATES MAY ISSUE PROTECTIVE ORDERS, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

House Committee Substitute for **S.B. 699**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT THE MOTOR VEHICLE MANUFACTURER'S LICENSING LAW DOES NOT APPLY TO MANUFACTURERS OF VEHICLES THAT ARE NOT SELF-PROPELLED, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

House Committee Substitute for **S.B. 862**, A BILL TO BE ENTITLED AN ACT TO PROVIDE GREATER FLEXIBILITY TO THE UNIVERSITY OF NORTH CAROLINA AND OTHER AGENCIES IN NEGOTIATING CERTAIN CONTRACTS AND CAPITAL PROJECTS, TO INCREASE THE BENCHMARK FOR PURCHASES BY THE UNIVERSITY OF NORTH CAROLINA AND OTHER STATE AGENCIES, AND TO AUTHORIZE EMPLOYEE PAYROLL DEDUCTIONS FOR CERTAIN DISCRETIONARY PRIVILEGES OF UNIVERSITY SERVICE AT THE UNIVERSITY OF NORTH CAROLINA, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 2 is placed on the Calendar. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

House Committee Substitute for **S.B. 947**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE BURDEN OF PROOF THAT MUST BE SATISFIED TO OBTAIN A CERTIFICATE AUTHORIZING AN INTERBASIN TRANSFER OF SURFACE WATERS, TO DIRECT THE ENVIRONMENTAL REVIEW COMMISSION TO STUDY ISSUES RELATING TO INTERBASIN TRANSFERS, AND TO IMPOSE A TEMPORARY MORATORIUM ON CERTAIN INTERBASIN TRANSFERS DURING THE PENDENCY OF THE STUDY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.J.R. 1081, A JOINT RESOLUTION HONORING THE MEMORY OF JACKIE ROBINSON AND RECOGNIZING WALTER FENNER "BUCK" LEONARD ON THE FIFTIETH ANNIVERSARY OF JACKIE ROBINSON'S BREAKING THE COLOR BARRIER IN MAJOR LEAGUE BASEBALL, with a favorable report.

Pursuant to Rule 36(a), the resolution is placed on the Calendar.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

Committee Substitute for **S.B. 463**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIRECTOR OF THE BUDGET TO CONTINUE EXPENDITURES FOR THE OPERATION OF GOVERNMENT AT THE LEVEL IN EFFECT ON JUNE 30, 1997, AND TO EXTEND EXPIRING PROVISIONS OF LAW.

On motion of Representative Morgan, Rule 41(a) is suspended and the bill is placed on the Calendar for immediate consideration.

Representative Hensley offers Amendment No. 1 which fails of adoption by electronic vote (45-65).

The bill passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor by Special Message.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 847**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN WATER AND SEWER AUTHORITIES TO ENTER INTO CERTAIN AGREEMENTS, is returned for concurrence in Senate committee substitute and referred to the Committee on Rules, Calendar, and Operations of the House.

The Senate committee substitute is ruled to be material, thus constituting its first reading.

Upon concurrence, the Senate committee substitute changes the title.

Senate Committee Substitute for **H.B. 859**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE BRUNSWICK COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, TO AUTHORIZE CERTAIN MUNICIPALITIES IN BRUNSWICK COUNTY TO LEVY OR INCREASE LOCAL OCCUPANCY TAXES, AND TO AUTHORIZE PERSON COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, is returned for concurrence in Senate committee substitute and placed on the Calendar of August 4.

Senate Committee Substitute for **H.B. 896**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE LAW REGARDING STAFF-CHILD RATIOS FOR CHILD DAY CARE FACILITIES TO ADDRESS THE SPECIAL NEEDS OF LARGE CHILD DAY CARE HOMES AND REGARDING RULES ADOPTED BY THE CHILD DAY CARE COMMISSION PERTAINING TO PLAYGROUND EQUIPMENT, is returned for concurrence in Senate committee substitute and referred to the Committee on Rules, Calendar, and Operations of the House.

Upon concurrence, the Senate committee substitute changes the title.

Senate Committee Substitute for **H.B. 990**, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN NONPROFIT AND CONSUMER-OWNED WATER OR SEWER UTILITIES FROM REGULATION BY THE UTILITIES COMMISSION, is returned for concurrence in Senate

committee substitute and referred to the Committee on Rules, Calendar, and Operations of the House.

The Senate committee substitute is ruled to be material, thus constituting its first reading.

Upon concurrence, the Senate committee substitute changes the title.

Senate Committee Substitute No. 2 for **H.B. 1108**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE PERMITS FOR "BREW ON PREMISES" BUSINESSES, is returned for concurrence in Senate Committee Substitute Bill No. 2 and referred to the Committee on Rules, Calendar, and Operations of the House.

Upon concurrence, the Senate committee substitute changes the title.

CONFEREES APPOINTED

The Speaker appoints Representative Oldham as an additional conferee on House Committee Substitute No. 2 for **S.B. 297**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS GOVERNING CHARTER SCHOOLS, on the part of House and the Senate is so notified by Special Message.

CONFERENCE REPORT

Representative McMahan sends forth the Conference Report on House Committee Substitute No. 2 for **S.B. 660**, A BILL TO BE ENTITLED AN ACT TO LICENSE ATHLETIC TRAINERS. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of August 4.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 448**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE GOVERNOR'S RECOMMENDATIONS ON DRIVING WHILE IMPAIRED.

On motion of Representative Hackney, the bill is temporarily displaced.

Committee Substitute No. 2 for **H.B. 469**, A BILL TO BE ENTITLED AN ACT TO CREATE A REINSTATEMENT FEE FOR PERMITS SUSPENDED FOR FAILURE TO PAY PERMIT FEES.

On motion of Representative Moore and without objection, the bill is postponed until August 4.

House Committee Substitute for **S.B. 60**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE RULES FOR MAKING LEFT TURNS ON VARIOUS ROADWAYS, passes its second reading, by electronic vote (105-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

BILL PRESENTED TO THE GOVERNOR

The following bill is duly ratified and presented to the Governor:

S.B. 463, AN ACT TO AUTHORIZE THE DIRECTOR OF THE BUDGET TO CONTINUE EXPENDITURES FOR THE OPERATION OF GOVERNMENT AT THE LEVEL IN EFFECT ON JUNE 30, 1997, AND TO EXTEND EXPIRING PROVISIONS OF LAW.

CALENDAR (continued)

House Committee Substitute for **S.B. 847**, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM SALES AND USE TAX REUSABLE INDUSTRIAL CONTAINERS USED AS PACKAGING FOR TANGIBLE PERSONAL PROPERTY, passes its second reading, by electronic vote (105-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

House Committee Substitute for **S.B. 974**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE EMPLOYMENT SECURITY COMMISSION TO WAIVE INTEREST ON LATE CONTRIBUTIONS, TO MODIFY THE CALCULATION AND COLLECTION OF UNEMPLOYMENT INSURANCE TAXES, AND TO GIVE FLEXIBILITY TO THE EMPLOYMENT SECURITY COMMISSION IN SCHEDULING WHEN CLAIMANTS MUST REPORT TO THE LOCAL COMMISSION

OFFICES, passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

Senate Committee Substitute for **H.B. 448**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE GOVERNOR'S RECOMMENDATIONS ON DRIVING WHILE IMPAIRED, which was temporarily displaced, is before the Body.

Representative Hackney moves that the House concur in the Senate committee substitute.

Representative Allred moves that the bill be postponed until August 6. The motion fails by electronic vote (6-102).

The House concurs in the Senate committee substitute, by electronic vote (108-0), and the bill is ordered enrolled and presented to the Governor.

RE-REFERRAL

On motion of Representative Allred, House Committee Substitute No. 2 for **S.B. 1**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE FILING SCHEDULE OF CAMPAIGN REPORTS; TO REQUIRE THE LISTING OF A CONTRIBUTOR'S PRINCIPAL OCCUPATION AND TO PROVIDE FOR A "BEST EFFORTS" RULE; TO REQUIRE THAT COORDINATED PARTY EXPENDITURES BE REPORTED; TO EXPAND REPORTING IN LOCAL ELECTIONS AND REFERENDA AND TO SET A THREE THOUSAND DOLLAR THRESHOLD FOR REPORTING GENERALLY; TO REQUIRE ELECTRONIC FILING OF CERTAIN CAMPAIGN REPORTS AND INTERNET ACCESS; TO PROVIDE FOR CIVIL PENALTIES FOR LATE FILING OF CAMPAIGN REPORTS; TO CLOSE THE SECOND PRIMARY LOOPHOLE FOR CONTRIBUTION LIMITS; TO REWRITE AND EXPAND THE LIMITS ON FUND-RAISING DURING LEGISLATIVE SESSIONS; TO PROVIDE FOR A TWO DOLLAR CHECKOFF FOR THE POLITICAL PARTIES FINANCING FUND AND TO CHANGE THE METHOD FOR DISTRIBUTING MONEY FROM THAT FUND; TO REQUIRE THE DISCLOSURE OF SPENDING FOR MATERIAL THAT NAMES CANDIDATES, ELECTIONS, PARTIES, AND ISSUES; AND TO DISCLOSE THE FLOW OF MONEY THROUGH NORTH CAROLINA AND NATIONAL POLITICAL ORGANIZATIONS, is withdrawn from

the Committee on Ways and Means and re-referred to the Committee on Rules, Calendar, and Operations of the House by electronic vote (97-7).

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber

July 31, 1997

Mr. Speaker:

Pursuant to your message received Tuesday, July 29, 1997, that the House of Representatives fails to concur in the Senate Committee Substitute bill to **H.B. 515** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE ENVIRONMENTALLY SOUND POLICY ACT (ESP) AND TO PROVIDE A MENU OF MEASURES TO PROTECT HEALTH AND THE ENVIRONMENT, which Senate Committee Substitute bill proposes to change the title, upon concurrence, to read **H.B. 515** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE CLEAN WATER RESPONSIBILITY ACT, A COMPREHENSIVE AND BALANCED PROGRAM TO PROTECT WATER QUALITY, PUBLIC HEALTH, AND THE ENVIRONMENT AND TO IMPLEMENT A RECOMMENDATION OF THE GOVERNMENT PERFORMANCE AUDIT COMMITTEE TO MODIFY THE PROCEDURES CONCERNING FINAL ADMINISTRATIVE DECISIONS IN CONTESTED CASES HEARD BY THE OFFICE OF ADMINISTRATIVE HEARINGS, and requests conferees, the President Pro Tempore appoints:

Senator Perdue, Chairman

Senator Rand

Senator Cooper

Senator Lee

Senator Kerr

Senator Odom

Senator Albertson

Senator Weinstein

Senator Hartsell

Senator McDaniel

on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

RE-REFERRAL

On motion of Representative Miner, **H.B. 26, A BILL TO BE ENTITLED AN ACT TO MAKE CONFORMING CHANGES TO THE LP GAS STATUTE**, is withdrawn from the Committee on Commerce and re-referred to the Committee on Rules, Calendar, and Operations of the House.

REMARKS SPREAD UPON JOURNAL

On motion of Representative Hurley, and pursuant to Rule 11, the remarks of the Chaplain prefacing today's prayer are spread upon the Journal.

On motion of Representative Morgan, seconded by Representative Thompson, the House adjourns, in memory of the ten members of the Plymouth High School Band who lost their lives in a tragic accident yesterday, at 11:32 a.m. to reconvene Monday, August 4, 1997, at 7:30 p.m.

ONE HUNDRED SEVENTH DAY

HOUSE OF REPRESENTATIVES
Monday, August 4, 1997

The House meets at 7:30 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Moore.

The Speaker leads the Body in the Pledge of Allegiance.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 31 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (94-1).

Leaves of absence are granted Representatives Adams, Barbee, Boyd-McIntyre, Cunningham, Kinney, Oldham, Redwine, Saunders, Shubert, and Wood for today.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

H.B. 448, AN ACT TO IMPLEMENT THE GOVERNOR'S RECOMMENDATIONS ON DRIVING WHILE IMPAIRED.

H.B. 993, AN ACT TO ALLOW CREATION OF ADDITIONAL REGIONAL TRANSPORTATION AUTHORITIES.

ENROLLED BILLS

The following bills are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 146, AN ACT TO ALLOW THE CITY OF JACKSONVILLE TO REQUIRE SIDEWALK IMPROVEMENTS THROUGH THE SITE PLAN REVIEW PROCESS UNDER THE AUTHORITY OF THE CITY ZONING ORDINANCE.

H.B. 844, AN ACT TO AMEND THE CHARTER OF THE CITY OF REIDSVILLE TO RESTRICT ANNEXATION OF THE CITY BEYOND A LINE.

CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

S.B. 848, AN ACT TO PROVIDE THAT CERTAIN SECONDARY SUPPLIERS OF ELECTRIC SERVICE MAY FURNISH SERVICE WITHIN THE CORPORATE LIMITS OF A CITY WITH WRITTEN CONSENT FROM THE CITY, TO ALLOW THE BOARD OF AN ELECTRIC MEMBERSHIP CORPORATION TO VOTE BY PROXY ON DECISIONS TO ENCUMBER CORPORATE PROPERTY OR TO DISSOLVE THE CORPORATION, AND TO MAKE TECHNICAL CHANGES TO THE LAW REGARDING MUNICIPAL ELECTRIC SERVICE. (S.L. 1997-346)

S.B. 463, AN ACT TO AUTHORIZE THE DIRECTOR OF THE BUDGET TO CONTINUE EXPENDITURES FOR THE OPERATION OF GOVERNMENT AT THE LEVEL IN EFFECT ON JUNE 30, 1997, AND TO EXTEND EXPIRING PROVISIONS OF LAW. (S.L. 1997-347)

S.B. 994, AN ACT TO PROHIBIT THE DIRECT SHIPMENT OF ALCOHOLIC BEVERAGES TO CONSUMERS IN NORTH CAROLINA. (S.L. 1997-348)

H.B. 275, AN ACT TO REDUCE DUPLICATION OF WORK BETWEEN THE OFFICE OF STATE PERSONNEL AND OTHER AGENCIES, DEPARTMENTS, AND INSTITUTIONS BY THE DELEGATION OF AUTHORITY OF CERTAIN FUNCTIONS FROM THE OFFICE OF STATE PERSONNEL TO THOSE AGENCIES, DEPARTMENTS, AND INSTITUTIONS. (S.L. 1997-349)

S.B. 254, AN ACT TO PROHIBIT DISCRIMINATION IN HEALTH INSURANCE AND EMPLOYMENT BASED ON GENETIC INFORMATION. (S.L. 1997-350)

S.B. 531, AN ACT TO REQUIRE STATE GOVERNMENT AGENCIES TO REDUCE THE NUMBER OF MENUS ON AUTOMATED PHONE SYSTEMS THAT CALLERS MUST GO THROUGH BEFORE CONNECTING TO A PERSON AND TO ALLOW ACCESS TO AN ATTENDANT OR OPERATOR ON THE FIRST MENU. (S.L. 1997-351)

H.B. 457, AN ACT TO ALLOW RECOVERY OF FUNDS PAID AS FOREST DEVELOPMENT COST-SHARING PAYMENTS WHEN TREES ARE NOT MAINTAINED AT LEAST TEN YEARS AND TO CONVERT THE FOREST DEVELOPMENT FUND TO ONE THAT ACCRUES INTEREST. (S.L. 1997-352)

H.B. 618, AN ACT TO INCREASE THE CRIMINAL PENALTIES FOR MISREPRESENTATION AND FOR FAILURE TO SECURE COMPENSATION UNDER THE WORKERS' COMPENSATION ACT. (S.L. 1997-353)

H.B. 463, AN ACT TO INCREASE THE PERMISSIBLE WEIGHT OF AGRICULTURAL CROPS THAT MAY BE TRANSPORTED ON THE HIGHWAYS FROM THE FIELD TO LOCAL MARKETS. (S.L. 1997-354)

H.B. 1158, AN ACT TO PROVIDE THAT ANTIQUE AIRPLANES SHALL BE VALUED AT NO MORE THAN FIVE THOUSAND DOLLARS FOR PROPERTY TAX PURPOSES. (S.L. 1997-355)

H.B. 523, AN ACT TO PROVIDE THAT CONFISCATED WEAPONS MAY BE KEPT FOR DEPARTMENTAL USE BY LAW ENFORCEMENT OFFICERS. (S.L. 1997-356)

H.B. 1121, AN ACT TO PROMOTE THE SAFE REUSE OF PROPERTIES WHERE ACTUAL CONTAMINATION, OR THE POSSIBILITY OF CONTAMINATION, HAS IMPEDED REDEVELOPMENT. (S.L. 1997-357)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Allred for the Committee on Ways and Means:

S.B. 321, A BILL TO BE ENTITLED AN ACT TO CLARIFY AND MODIFY A 1994 ACT CONCERNING THE LEASE OF PROPERTY BY THE GOLDSBORO-WAYNE AIRPORT AUTHORITY, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

The House committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

S.B. 682, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF DURHAM TO REQUIRE THAT CHALLENGES TO VOLUNTARY ANNEXATIONS BY THE CITY BE FILED WITHIN THIRTY DAYS AFTER THE ADOPTION OF THE ANNEXATION ORDINANCE, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

S.B. 684, A BILL TO BE ENTITLED AN ACT AMENDING THE DURHAM CITY CHARTER TO RENAME THE SUBDIVISION REVIEW BOARD AND INCREASING THE NUMBER OF PERSONS WHO MAY SERVE ON THAT BOARD, with a favorable report as to

House committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Gardner, Clary, and Cansler, Co-Chairs, for the Permanent Subcommittee on Human Resources of the Standing Committee on Appropriations, with approval of standing committee co-chairs for report to be made directly to the floor of the House:

Committee Substitute No. 2 for **H.B. 949**, A BILL TO BE ENTITLED AN ACT TO IMPROVE CHILD PROTECTION BY ALLOWING DISCLOSURE OF CERTAIN RECORDS AND TO APPROPRIATE ONE HUNDRED THOUSAND DOLLARS FOR THIS PURPOSE, with a favorable report as to Committee Substitute Bill No. 3, which changes the title, unfavorable as to Committee Substitute Bill No. 2.

Pursuant to Rule 36(a), Committee Substitute Bill No. 3 is placed on the Calendar of August 5. Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

By Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Committee on Finance:

Committee Substitute for **H.B. 1096**, A BILL TO BE ENTITLED AN ACT TO ADJUST CERTAIN STATUTES AFFECTING THE TRUCKING INDUSTRY TO ENCOURAGE THE GROWTH OF THAT INDUSTRY THROUGH INCREASED TRUCK REGISTRATIONS IN THIS STATE; TO PROVIDE CONSUMER PROTECTION PROVISIONS; AND TO PROVIDE FOR A STUDY OF CERTAIN TRUCKING-RELATED PROVISIONS BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

House Committee Substitute for **S.B. 253**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE REGISTRATION OF TELEPHONIC SELLERS IN NORTH CAROLINA, AND TO MAKE THE OFFERING OF TELEPHONE SALES RECOVERY SERVICES A CRIMINAL OFFENSE, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 2 is placed on the Calendar. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

ESCORT COMMITTEE APPOINTED

The Speaker announces that the House will consider **S.J.R. 414**, A JOINT RESOLUTION HONORING THE ACCOMPLISHMENTS OF COACH DEAN EDWARDS SMITH AND THE MEN'S BASKETBALL PROGRAM AT THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, on Tuesday, August 5, 1997. He appoints Representative Morgan, Chair; Representatives Bowie, Braswell, McMahan, Crawford, Justus, Hackney, Insko, Gray, and Neely to escort Dean Edwards Smith, Coach of the Men's Basketball Team at the University of North Carolina, Chapel Hill, to the Session on August 5.

SUBCOMMITTEE REFERRAL

Representative Holmes, Senior Ranking Member and Co-Chair for the Standing Committee on Appropriations, refers Committee Substitute No. 2 for **H.B. 665**, A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIME VICTIMS' RIGHTS ACT, TO ASSIST VICTIMS OF DOMESTIC VIOLENCE, TO ALLOW THE ENFORCEMENT OF ORDERS FOR RESTITUTION IN CRIMINAL CASES IN THE SAME MANNER AS CIVIL JUDGMENTS, TO CREATE AN EXCEPTION TO THE STATUTORY EXEMPTIONS FOR EXECUTION OF RESTITUTION JUDGMENTS, AND TO CHANGE THE ORDER OF PRIORITY FOR DISBURSEMENT OF FUNDS IN CRIMINAL CASES, to the Permanent Subcommittee on Justice and Public Safety.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 211**, A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS ENVIRONMENTAL LAWS TO: (1) PROVIDE FOR CONTINUING EDUCATION REQUIREMENTS FOR, AND THE EXPIRATION AND RENEWAL OF, CERTIFICATES ISSUED BY THE WATER POLLUTION CONTROL SYSTEM OPERATORS CERTIFICATION COMMISSION; (2) INCLUDE CONSIDERATION OF THE COMPLIANCE HISTORY IN OTHER STATES OF AN APPLICANT FOR A PERMIT UNDER THE COASTAL AREA MANAGEMENT ACT; (3) CLARIFY THE DISTINCTION BETWEEN A PUBLIC HEARING

AND A PUBLIC MEETING IN CONNECTION WITH AN APPLICATION FOR A WATER QUALITY PERMIT; (4) ALLOW THE ENVIRONMENTAL MANAGEMENT COMMISSION TO DELEGATE ITS POWERS BY RESOLUTION RATHER THAN BY RULE; (5) CLARIFY THE ASSESSMENT OF CIVIL PENALTIES FOR CONTINUING VIOLATIONS OF AIR QUALITY STANDARDS; (6) REESTABLISH A SCHEDULE OF SIX-YEAR STAGGERED TERMS FOR THE MINING COMMISSION; AND (7) REESTABLISH A SCHEDULE OF TWO-YEAR STAGGERED TERMS FOR THE NORTH CAROLINA PARKS AND RECREATION AUTHORITY, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is returned for concurrence in Senate committee substitute and referred to the Committee on Rules, Calendar, and Operations of the House.

Upon concurrence, the Senate committee substitute changes the title.

Senate Committee Substitute for **H.B. 225**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR CLEANUP OF DRY-CLEANING SOLVENT CONTAMINATION IN NORTH CAROLINA, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is returned for concurrence in Senate committee substitute and placed on the Calendar of August 5.

Senate Committee Substitute for **H.B. 302**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PROCEDURE TO AUTHORIZE THE TAKING OF CERTAIN WILDLIFE IN COUNTIES OR DISTRICTS WHERE AN OUTBREAK OF RABIES HAS OCCURRED, is returned for concurrence in Senate committee substitute and placed on the Calendar of August 5.

Senate Committee Substitute for **H.B. 568**, A BILL TO BE ENTITLED AN ACT CONCERNING SATELLITE ANNEXATIONS BY THE TOWN OF WAKE FOREST, is returned for concurrence in Senate committee substitute and referred to the Committee on Rules, Calendar, and Operations of the House.

The Senate committee substitute is ruled to be material, thus constituting its first reading.

Upon concurrence, the Senate committee substitute changes the title.

Senate Committee Substitute for **H.B. 611**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE COMPENSATION PROVIDED TO

PERSONS ERRONEOUSLY CONVICTED OF FELONIES WHO HAVE RECEIVED PARDONS OF INNOCENCE, TO EXEMPT THE COMPENSATION FROM STATE INCOME TAX, AND TO PROVIDE FOR THE INDUSTRIAL COMMISSION TO HANDLE THE CLAIMS OF THOSE PERSONS, is returned for concurrence in Senate committee substitute and placed on the Calendar of August 5.

CONFERENCE REPORT

Representative McMahan moves the adoption of the following Conference Report.

House Committee Substitute No. 2 for S.B. 660

To: The President of the Senate
The Speaker of the House of Representatives

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 660, A BILL TO BE ENTITLED AN ACT TO LICENSE ATHLETIC TRAINERS, Sixth Edition Engrossed 7/24/97, submit the following report:

The Senate and House agree to the following amendments to the House Committee Substitute #2, Sixth Edition Engrossed 7/24/97, and the Senate concurs in the House Committee Substitute #2, Sixth Edition Engrossed 7/24/97, as amended:

on page 2, lines 18-19, by rewriting those lines to read:

"(4) Athletes.--Members of sports teams, including professional, amateur, and school teams; or participants in sports or recreational activities, including training and practice activities, that require strength, agility, flexibility, range of motion, speed, or stamina.";

on page 1, line 6, by deleting "ARTICLE 33" and inserting "ARTICLE 34";

on page 1, line 8 by deleting "90-512" and inserting "90-522";
on page 1, line 15, by deleting "90-513" and inserting "90-523";
on page 2, line 13, by deleting "90-514" and inserting "90-524";
on page 2, line 16, by deleting "90-518" and inserting "90-528";
on page 2, line 20, by deleting "90-514" and inserting "90-524";
on page 3, line 6, by deleting "90-519" and inserting "90-529";

on page 3, line 30, by deleting "90-515" and inserting "90-525";
 on page 4, line 1, by deleting "90-524" and inserting "90-534";
 on page 4, line 13, by deleting "90-516" and inserting "90-526";
 on page 4, line 20, by deleting "90-517" and inserting "90-527";
 on page 4, line 40, by deleting "90-518" and inserting "90-528";
 on page 5, line 9, by deleting "90-519" and inserting "90-529";
 on page 5, line 16, by deleting "90-520" and inserting "90-530";
 on page 5, line 33, by deleting "90-521" and inserting "90-531";
 on page 5, line 36, by deleting "90-522" and inserting "90-532";
 on page 5, line 44, by deleting "90-523" and inserting "90-533";
 on page 6, line 15, by deleting "90-524" and inserting "90-534";
 on page 6, line 26, by deleting "90-525" and inserting "90-535";
 on page 6, line 31, by deleting "90-517(b)" and inserting "90-527(b)";
 on page 6, line 32, by deleting "90-526" and inserting "90-536";
 on page 7, line 17, by deleting "90-527" and inserting "90-537";
 on page 7, line 25, by deleting "90-528" and inserting "90-538";
 on page 7, line 30, by deleting "90-529" and inserting "90-539";
 and on page 7, line 38, by deleting "90-530" and inserting "90-540".

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 31, 1997.

*Conferees for the
Senate*

S/ David Hoyle, Chairman
 S/ Beverly Perdue
 S/ Howard Lee
 S/ Robert G. Shaw

*Conferees for the
House of Representatives*

S/ Ed McMahan, Chairman
 S/ W. F. Mitchell
 S/ Robert Grady
 S/ Dewey L. Hill

The Conference Report is adopted, by electronic vote (90-13), and the Senate is so notified by Special Message.

CALENDAR

Action is taken on the following:

Committee Substitute No. 2 for **H.B. 63**, A BILL TO BE ENTITLED AN ACT TO RESTORE EXTRATERRITORIAL PLANNING POWERS OF THE TOWN OF RIVER BEND BUT PROHIBIT IT FROM MAKING INVOLUNTARY ANNEXATIONS.

On motion of Representative Nichols, the House concurs in the material Senate amendment on its second roll call reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Beall, Berry, Black, Blue, Bonner, Bowie, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Cole, Crawford, Creech, Culp, Culpepper, Daughtry, Davis, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Owens, Preston, Ramsey, Rayfield, Reynolds, Rogers, Russell, Sexton, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, G. Wilson, Wright, and Yongue - 102.

Voting in the negative: Representative Sherrill.

Excused absences: Representatives Adams, Barbee, Boyd-McIntyre, Cunningham, Kinney, Oldham, Redwine, Saunders, Shubert, and Wood - 10.

Senate Committee Substitute for **H.B. 859**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE BRUNSWICK COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, TO AUTHORIZE CERTAIN MUNICIPALITIES IN BRUNSWICK COUNTY TO LEVY OR INCREASE LOCAL OCCUPANCY TAXES, AND TO AUTHORIZE PERSON COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX.

On motion of Representative Hill and without objection, consideration of the bill is postponed until August 5.

Senate Committee Substitute for **H.B. 651**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE ISSUANCE OF CERTAIN ALCOHOLIC BEVERAGE CONTROL PERMITS IN INTERSTATE ECONOMIC DEVELOPMENT ZONES.

On motion of Representative H. Hunter, the House concurs in the Senate committee substitute, by electronic vote (88-14), and the bill is ordered enrolled and presented to the Governor.

Senate Committee Substitute for **H.B. 1052**, A BILL TO BE ENTITLED AN ACT TO ALLOW INSURERS TO LIMIT OR EXCLUDE EXCESS LIABILITY COVERAGE FOR UNINSURED AND UNDERINSURED MOTORISTS AS PROVIDED BY LAW.

On motion of Representative Miller, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (104-0), and the bill is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute No. 2 for **S.B. 884**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE DEPARTMENT OF TRANSPORTATION TO ESTABLISH A STATE INFRASTRUCTURE BANK, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Beall, Berry, Black, Blue, Bonner, Bowie, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Cole, Crawford, Creech, Culp, Culpepper, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Owens, Preston, Ramsey, Rayfield, Reynolds, Rogers, Russell, Sexton, Sherrill, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Wright, and Yongue - 106.

Voting in the negative: None.

Excused absences: Representatives Adams, Barbee, Boyd-McIntyre, Cunningham, Kinney, Oldham, Redwine, Saunders, Shubert, and Wood - 10.

Committee Substitute No. 2 for **H.B. 469**, A BILL TO BE ENTITLED AN ACT TO CREATE A REINSTATEMENT FEE FOR PERMITS SUSPENDED FOR FAILURE TO PAY PERMIT FEES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Beall, Black, Bonner, Bowie, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Cole, Crawford, Culp, Culpepper, Daughtry, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hardaway, Hardy, Hensley, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Owens, Preston, Ramsey, Rayfield, Reynolds, Rogers, Russell, Sexton, Sherrill, Smith, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Wright, and Yongue - 98.

Voting in the negative: Representatives Berry, Blue, Creech, Davis, Decker, Hall, Hiatt, and Starnes - 8.

Excused absences: Representatives Adams, Barbee, Boyd-McIntyre, Cunningham, Kinney, Oldham, Redwine, Saunders, Shubert, and Wood - 10.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Russell and without objection, House Committee Substitute No. 2 for **S.B. 676**, A BILL TO BE ENTITLED AN ACT TO AMEND THE SEXUAL OFFENDER REGISTRATION PROGRAM TO COMPLY WITH FEDERAL LAW, is withdrawn from the Calendar and placed on the Calendar of August 6.

CALENDAR (continued)

Pursuant to Rule 36(a), the following resolution appears on today's Calendar.

H.J.R. 1236, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF CALVIN LEE KOONCE, JR., passes its second reading, by electronic vote (104-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

S.J.R. 1082, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF THOMAS B. SAWYER, SR., FORMER MEMBER OF THE GENERAL ASSEMBLY.

On motion of Representative Morgan, the rules are suspended and the resolution is placed on the Calendar for immediate consideration.

The resolution passes its second reading, by electronic vote (101-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

RE-REFERRAL

On motion of Representative Watson, pursuant to Rule 39.2, Committee Substitute for **S.B. 918**, A BILL TO BE ENTITLED AN ACT TO AMEND THE DUTY OF PERSONS WHO DISCHARGE OIL OR ANY HAZARDOUS SUBSTANCE TO REPORT THE DISCHARGE TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, is withdrawn from the Committee on Environment and re-referred to the Committee on Rules, Calendar, and Operations of the House.

Representative Morgan moves, seconded by Representative Davis, that the House adjourn, subject to the receipt of committee reports, to reconvene August 5 at 10:00 a.m.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

Senate Committee Substitute for **H.B. 896**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE LAW REGARDING STAFF-CHILD RATIOS FOR CHILD DAY CARE FACILITIES TO ADDRESS THE SPECIAL NEEDS OF LARGE CHILD DAY CARE HOMES AND REGARDING RULES ADOPTED BY THE CHILD DAY CARE COMMISSION PERTAINING TO PLAYGROUND EQUIPMENT, with recommendation that the House concur.

The bill is placed on the Calendar of August 5.

The House stands adjourned at 8:40 p.m.

ONE HUNDRED EIGHTH DAY

HOUSE OF REPRESENTATIVES

Tuesday, August 5, 1997

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain.

"Eternal God, Your glory is everywhere and Your magnificence stretches throughout eternity. There are no other gods before You, and alone, You rule the universe and all that is within its vast domain. Yet, despite the awesomeness of Your sovereignty, despite the incomprehensibility of Your kingship over all creation, You love and care for each one of us so much that You desire to hear whatever rests upon our heavy hearts. It doesn't matter who it is that asks for Your attention for You know no level of status or importance among us. But, like the great Saint Augustine said, 'You love each one of us as if there were but one of us to love'. Open Thine arms of love and mercy around all of us here in this chamber and encompass us with the gifts of Thy Spirit which, like an eternal fountain, springs forth beauty and understanding and compassion and the genuine love of both God and neighbor. All this we ask in the name of the One who is without beginning and without end, the Alpha and the Omega. Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of August 4 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (100-0).

Leaves of absence are granted Representatives Adams, Blue, Brawley, Creech, Cunningham, Kinney, Saunders, Shubert, and Wood for today.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

S.B. 125, AN ACT TO AUTHORIZE THE SECRETARY OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO ENCOURAGE THE REDEVELOPMENT OF BROWNFIELDS BY APPROVING THE IMPOSITION OF RESTRICTIONS ON INACTIVE HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITES AND ON OIL OR HAZARDOUS SUBSTANCE DISCHARGES OR RELEASES, AS RECOMMEND BY THE ENVIRONMENTAL REVIEW COMMISSION.

H.B. 651, AN ACT TO ALLOW THE ISSUANCE OF CERTAIN ALCOHOLIC BEVERAGE CONTROL PERMITS IN INTERSTATE ECONOMIC DEVELOPMENT ZONES.

H.B. 1052, AN ACT TO ALLOW INSURERS TO LIMIT OR EXCLUDE EXCESS LIABILITY COVERAGE FOR UNINSURED AND UNDERINSURED MOTORISTS AS PROVIDED BY LAW AND TO ALLOW INJURED PARTIES TO EXECUTE COVENANTS NOT TO ENFORCE JUDGMENT AS CONSIDERATION FOR PAYMENT OF THE APPLICABLE LIMITS OF LIABILITY BY THE INSURER.

ENROLLED BILL

The following bill is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 585, AN ACT TO AUTHORIZE THE CITY OF LUMBERTON TO LEVY AN ADDITIONAL, TEMPORARY ROOM OCCUPANCY TAX, TO MODIFY THE PURPOSES FOR WHICH THE LUMBERTON ROOM OCCUPANCY TAX CAN BE USED, AND TO AUTHORIZE THE CITY OF SHELBY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX.

CHAPTERED BILLS

The following bills and resolution are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

S.J.R. 1082, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF THOMAS B. SAWYER, SR., FORMER MEMBER OF THE GENERAL ASSEMBLY. (RESOLUTION 27)

H.B. 251, AN ACT TO CREATE THE WELL CONTRACTORS CERTIFICATION COMMISSION, TO REQUIRE THAT WELL CONTRACTORS BE CERTIFIED, AND TO MAKE VARIOUS AMENDMENTS

TO THE WELL CONSTRUCTION ACT, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION. (S.L. 1997-358)

H.B. 146, AN ACT TO ALLOW THE CITY OF JACKSONVILLE TO REQUIRE SIDEWALK IMPROVEMENTS THROUGH THE SITE PLAN REVIEW PROCESS UNDER THE AUTHORITY OF THE CITY ZONING ORDINANCE. (S.L. 1997-359)

H.B. 844, AN ACT TO AMEND THE CHARTER OF THE CITY OF REIDSVILLE TO RESTRICT ANNEXATION OF THE CITY BEYOND A LINE. (S.L. 1997-360)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committee are presented:

By Representatives Justus and C. Wilson, Co-Chairs, for the Committee on Election Law and Campaign Reform:

Committee Substitute for **S.B. 553**, A BILL TO BE ENTITLED AN ACT ALLOWING COUNTY BOARDS OF ELECTIONS TO USE PAPER BALLOTS IN SECOND PRIMARY ELECTIONS WHERE VOTING SYSTEMS ARE USED IN THE FIRST PRIMARY ELECTION, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 573**, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO STATUTES CONCERNING BALLOT ACCESS FOR POLITICAL PARTIES, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

SPECIAL MESSAGE FROM THE SENATE**1997 GENERAL ASSEMBLY**

Senate Chamber

August 4, 1997

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the President Pro Tempore appoints Senator Wellons as an additional conferee on **H.B. 515** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE ENVIRONMENTALLY SOUND POLICY ACT (ESP) AND TO PROVIDE A MENU OF MEASURES TO PROTECT HEALTH AND THE ENVIRONMENT, which Senate Committee Substitute bill proposes to change the title, upon concurrence, to read **H.B. 515** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE CLEAN WATER RESPONSIBILITY ACT, A COMPREHENSIVE AND BALANCED PROGRAM TO PROTECT WATER QUALITY, PUBLIC HEALTH, AND THE ENVIRONMENT AND TO IMPLEMENT A RECOMMENDATION OF THE GOVERNMENT PERFORMANCE AUDIT COMMITTEE TO MODIFY THE PROCEDURES CONCERNING FINAL ADMINISTRATIVE DECISIONS IN CONTESTED CASES HEARD BY THE OFFICE OF ADMINISTRATIVE HEARINGS.

Respectfully,

S/ Janet B. Pruitt

*Principal Clerk***SPECIAL MESSAGE FROM THE SENATE****1997 GENERAL ASSEMBLY**

Senate Chamber

August 4, 1997

Mr. Speaker:

On **S.B. 660** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO LICENSE ATHLETIC TRAINERS, it is ordered

that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees to the end that when a similar action has been taken on the part of your Honorable Body, the President will order the bill enrolled.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 495**, A BILL TO BE ENTITLED AN ACT TO ADDRESS NORTH CAROLINA'S URGENT INFRA-STRUCTURE NEEDS BY CLARIFYING THAT THE NORTH CAROLINA UTILITIES COMMISSION MAY ESTABLISH DIFFERENT RATES FOR NATURAL GAS SERVICE TO UNSERVED COUNTIES THAT REFLECT THE COST OF PROVIDING SERVICE TO THE UNSERVED COUNTIES AND AUTHORIZING THE CREATION OF NATURAL GAS DISTRICTS FOR NATURAL GAS EXPANSION, is returned for concurrence in Senate committee substitute and placed on the Calendar of August 6.

The Senate committee substitute is ruled to be material, thus constituting its first reading.

Senate Committee Substitute for **H.B. 668**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CUMBERLAND COUNTY TO REQUIRE OWNERS OF RENTAL PROPERTY IN THE COUNTY TO AUTHORIZE AN AGENT TO ACCEPT SERVICE OF PROCESS IN HOUSING CODE CASES AND CASES INITIATED BY THE LOCAL BOARD OF HEALTH, is returned for concurrence in Senate committee substitute and placed on the Calendar of August 6.

Senate Committee Substitute for **H.B. 1157**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE STATUTES OF LIMITATIONS FOR TAX REFUNDS, TO CLARIFY THE CORPORATE INCOME TAX ON CERTAIN TAX-EXEMPT OBLIGATIONS, AND TO DELETE THE CAP ON CORPORATE INCOME TAX DEDUCTIONS OF DIVIDENDS RECEIVED FROM REGULATED INVESTMENT COMPANIES, is returned for concurrence in Senate committee substitute and referred to the Committee on Rules, Calendar, and Operations of the House.

Upon concurrence, the Senate committee substitute changes the title.

ESCORT COMMITTEE ADDITION

The Speaker announces the addition of Representative Baddour to the Escort Committee for Dean Edwards Smith, Coach of the Men's Basketball team at the University of North Carolina at Chapel Hill.

CALENDAR

Action is taken on the following:

The Speaker directs the Escort Committee to accompany Coach Dean Edwards Smith to the Well of the House.

Representative Morgan introduces Coach Dean Smith to the Body.

Coach Smith is seated to the right of the Well of the House. The courtesies of the floor are extended to Mr. Dick Baddour, Athletic Director at the University of North Carolina at Chapel Hill and Mr. Clifton Metcalf, Legislative Liaison for the University.

Pursuant to Rule 36(a), the following resolution appears on today's Calendar as a Special Order of Business.

S.J.R. 414, A JOINT RESOLUTION HONORING THE ACCOMPLISHMENTS OF COACH DEAN EDWARDS SMITH AND THE MEN'S BASKETBALL PROGRAM AT THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

Representative Baddour requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (110-0).

The resolution passes its third reading and is ordered enrolled.

The Speaker recognizes Coach Smith, who makes brief remarks.

Coach Smith is escorted from the Hall of the House.

BILL PRESENTED TO THE GOVERNOR

The following bill is duly ratified and presented to the Governor:

S.B. 660, AN ACT TO LICENSE ATHLETIC TRAINERS.**CALENDAR (continued)**

Committee Substitute No. 2 for **H.B. 63, A BILL TO BE ENTITLED AN ACT TO RESTORE EXTRATERRITORIAL PLANNING POWERS OF THE TOWN OF RIVER BEND BUT PROHIBIT IT FROM MAKING INVOLUNTARY ANNEXATIONS**

On motion of Representative Nichols, the House concurs in the material Senate amendment, which changes the title, on its third roll call reading, by the following vote, and the bill is ordered enrolled.

Those voting in the affirmative are: Representatives Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Beall, Black, Bonner, Bowie, Boyd-McIntyre, Braswell, Brown, Buchanan, Cansler, Capps, Church, Clary, Crawford, Culp, Culpepper, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Gray, Gulley, Hackney, Hall, Hardaway, Hensley, Hiatt, Hightower, Hill, Howard, H. Hunter, R. Hunter, Hurley, Ives, Jarrell, Jeffus, Justus, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Russell, Sexton, Smith, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, G. Wilson, Womble, Wright, and Yongue - 96.

Voting in the negative: None.

Excused absences: Representatives Adams, Blue, Brawley, Creech, Cunningham, Kinney, Saunders, Shubert, and Wood - 9.

Senate Committee Substitute for **H.B. 859, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE BRUNSWICK COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, TO AUTHORIZE CERTAIN MUNICIPALITIES IN BRUNSWICK COUNTY TO LEVY OR INCREASE LOCAL OCCUPANCY TAXES, AND TO AUTHORIZE PERSON COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX.**

On motion of Representative Redwine, the House concurs in the Senate committee substitute, by electronic vote (93-6), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 225**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR CLEANUP OF DRY-CLEANING SOLVENT CONTAMINATION IN NORTH CAROLINA, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

On motion of Representative Weatherly, the House concurs in the Senate committee substitute, by electronic vote (100-0), and the bill is ordered enrolled and presented to the Governor.

REPRESENTATIVE RUSSELL PRESIDING.

Senate Committee Substitute for **H.B. 302**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PROCEDURE TO AUTHORIZE THE TAKING OF CERTAIN WILDLIFE IN COUNTIES OR DISTRICTS WHERE AN OUTBREAK OF RABIES HAS OCCURRED.

On motion of Representative H. Hunter, the House concurs in the Senate committee substitute, by electronic vote (104-0), and the bill is ordered enrolled and presented to the Governor.

Representatives Decker and Hensley state that their voting equipment malfunctioned and they request to be recorded as voting "aye". These requests are granted. The adjusted vote total is (106-0).

Senate Committee Substitute for **H.B. 611**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE COMPENSATION PROVIDED TO PERSONS ERRONEOUSLY CONVICTED OF FELONIES WHO HAVE RECEIVED PARDONS OF INNOCENCE, TO EXEMPT THE COMPENSATION FROM STATE INCOME TAX, AND TO PROVIDE FOR THE INDUSTRIAL COMMISSION TO HANDLE THE CLAIMS OF THOSE PERSONS.

On motion of Representative Hackney, the House concurs in the Senate committee substitute, by electronic vote (106-0), and the bill is ordered enrolled and presented to the Governor.

H.B. 896, A BILL TO BE ENTITLED AN ACT TO CHANGE THE LAW REGARDING STAFF-CHILD RATIOS FOR CHILD DAY CARE FACILITIES TO ADDRESS THE SPECIAL NEEDS OF LARGE CHILD DAY CARE HOMES AND REGARDING RULES ADOPTED BY THE CHILD DAY CARE COMMISSION PERTAINING TO PLAYGROUND EQUIPMENT.

SPEAKER BRUBAKER PRESIDING.

On motion of Representative Gardner, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (88-20), and the bill is ordered enrolled and presented to the Governor.

House Committee Substitute No. 2 for **S.B. 884**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE DEPARTMENT OF TRANSPORTATION TO ESTABLISH A STATE INFRASTRUCTURE BANK, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House committee substitute.

Those voting in the affirmative are: Representatives Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Bonner, Bowie, Boyd-McIntyre, Braswell, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Sexton, Sherrill, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 108.

Voting in the negative: None.

Excused absences: Representatives Adams, Blue, Brawley, Creech, Cunningham, Kinney, Saunders, Shubert, and Wood - 9.

Committee Substitute No. 2 for **H.B. 469**, A BILL TO BE ENTITLED AN ACT TO CREATE A REINSTATEMENT FEE FOR PERMITS SUSPENDED FOR FAILURE TO PAY PERMIT FEES, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Aldridge, Alexander, Arnold, Baddour, Baker, Barbee, Beall, Black, Bonner, Bowie, Boyd-McIntyre, Braswell, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Daughtry, Dedmon, Dickson, Dockham, Easterling, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill,

Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jeffus, Justus, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Sexton, Sherrill, Smith, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 101.

Voting in the negative: Representatives Allred, Berry, Davis, Decker, Eddins, and Hall - 6.

Excused absences: Representatives Adams, Blue, Brawley, Creech, Cunningham, Kinney, Saunders, Shubert, and Wood - 9.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 312**, A BILL TO BE ENTITLED AN ACT TO REGULATE CHECK-CASHING BUSINESSES.

Representative Baddour moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Judiciary II.

Representative Morgan calls the previous question on the motion and the call is sustained by electronic vote (69-39).

The motion to re-refer fails by electronic vote (41-67).

Representative Grady calls the previous question on the passage of the bill and the call is sustained by electronic vote (65-44).

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Aldridge, Arnold, Baker, Barbee, Beall, Berry, Black, Bowie, Boyd-McIntyre, Braswell, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Easterling, Eddins, Ellis, Esposito, Gardner, Grady, Gray, Hackney, Hall, Hardy, Hiatt, Hill, Holmes, Howard, H. Hunter, Hurley, Insko, Ives, Justus, Luebke, McComas, McCombs, McMahan, Mercer, Miner, Mitchell, Moore, Morgan, Morris, Neely, Nesbitt, Nichols, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Russell, Sexton, Sherrill,

Smith, Starnes, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, and Yongue - 81.

Voting in the negative: Representatives Alexander, Allred, Baddour, Bonner, Fitch, Fox, Gamble, Goodwin, Gulley, Hardaway, Hensley, Hightower, R. Hunter, Jarrell, Jeffus, Kiser, McAllister, McCrary, Michaux, Miller, Mosley, Nye, Oldham, Rogers, Sutton, Warwick, Womble, and Wright - 28.

Excused absences: Representatives Adams, Blue, Brawley, Creech, Cunningham, Kinney, Saunders, Shubert, and Wood - 9.

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
August 5, 1997

Mr. Speaker:

Pursuant to your message received Monday, July 28, 1997, that the House of Representatives fails to concur in the Senate Committee Substitute bill to **H.B. 699** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO GRANT AUTHORITY TO THE TOWN OF NEWPORT TO ADDRESS ABANDONED STRUCTURES IN THE SAME MANNER AS MUNICIPALITIES IN COUNTIES WITH A POPULATION OF OVER ONE HUNDRED SIXTY-THREE THOUSAND, which Senate Committee Substitute bill proposes to change the title, upon concurrence, to read **H.B. 699** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO GRANT AUTHORITY TO THE CITY OF GREENVILLE AND THE TOWNS OF BETHEL, FARMVILLE, AND NEWPORT TO ADDRESS ABANDONED STRUCTURES IN THE SAME MANNER AS MUNICIPALITIES IN COUNTIES WITH A POPULATION OF OVER ONE HUNDRED SIXTY-THREE THOUSAND, and requests conferees, the Deputy President Pro Tempore appoints:

Senator Miller, Chairman
Senator Warren
Senator Martin of Pitt

on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

On motion of Representative Morgan, seconded by Representative Tallent, the House adjourns at 12:15 p.m. to reconvene August 6 at 10:00 a.m.

ONE HUNDRED NINTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, August 6, 1997

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain.

"Gracious and Merciful God, You are the giver of every good and perfect gift. All that is good and right comes from Thy tender hand. You have endowed each one of us here with special gifts of leadership and servanthood. You have called us out of our regular responsibilities of life and have placed us here...among each other...to use these God-given gifts to better serve Your people. Forgive us when we squander these gifts; and free us so that we might possess a joyful obedience in our opportunity to serve You with grateful hearts. As we acknowledge our special and unique gifts that have come from You, may we fully understand the greater responsibility that accompanies them as we seek to do our work. 'To those whom much has been given, much is expected.' By Your grace, may we honor Your expectations of us. Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of August 5 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (92-0).

Leaves of absence are granted Representatives Aldridge, Barbee, Blue, Brawley, Cunningham, Davis, Hackney, Hightower, Hurley, McAllister, Saunders, Shubert, Sutton, and Wood for today. Representatives Preston and Redwine are excused for a portion of the session.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

H.B. 225, AN ACT TO PROVIDE FOR CLEANUP OF DRY-CLEANING SOLVENT CONTAMINATION IN NORTH CAROLINA, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

H.B. 302, AN ACT TO ESTABLISH A PROCEDURE TO AUTHORIZE THE TAKING OF CERTAIN WILDLIFE IN COUNTIES OR DISTRICTS WHERE AN OUTBREAK OF RABIES HAS OCCURRED.

H.B. 611, AN ACT TO INCREASE THE COMPENSATION PROVIDED TO PERSONS ERRONEOUSLY CONVICTED OF FELONIES WHO HAVE RECEIVED PARDONS OF INNOCENCE, TO EXEMPT THE COMPENSATION FROM STATE INCOME TAX, AND TO PROVIDE FOR THE INDUSTRIAL COMMISSION TO HANDLE THE CLAIMS OF THOSE PERSONS.

H.B. 896, AN ACT TO AMEND THE LAW PERTAINING TO THE CUSTODY AND PLACEMENT OF JUVENILES TO ENHANCE THE STATE'S ABILITY TO ENSURE THAT JUVENILES ARE PLACED IN A SAFE, PERMANENT HOME WITHIN A REASONABLE PERIOD OF TIME, TO AUTHORIZE THE DEPARTMENT OF HUMAN RESOURCES TO ASSUME CONTROL OF DELIVERY OF COUNTY CHILD WELFARE SERVICES UNDER CERTAIN CIRCUMSTANCES, AND TO ESTABLISH THE LEGISLATIVE STUDY COMMISSION ON CHILDREN AND YOUTH.

ENROLLED BILLS

The following bills are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 63, AN ACT TO RESTORE EXTRATERRITORIAL PLANNING POWERS OF THE TOWN OF RIVER BEND BUT PROHIBIT IT FROM MAKING INVOLUNTARY ANNEXATIONS AND CONCERNING ANNEXATION OF AREAS BY THE TOWNS OF MOREHEAD CITY

AND NEWPORT WHERE PLANNING JURISDICTION WAS RECENTLY GRANTED TO THOSE TOWNS BY LOCAL ACT.

H.B. 859, AN ACT TO AUTHORIZE BRUNSWICK COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, TO AUTHORIZE CERTAIN MUNICIPALITIES IN BRUNSWICK COUNTY TO LEVY OR INCREASE LOCAL OCCUPANCY TAXES, AND TO AUTHORIZE PERSON COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX.

CHAPTERED BILLS

The following bill and resolution are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

S.J.R. 414, A JOINT RESOLUTION HONORING THE ACCOMPLISHMENTS OF COACH DEAN EDWARDS SMITH AND THE MEN'S BASKETBALL PROGRAM AT THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL. (RESOLUTION 28)

S.B. 585, AN ACT TO AUTHORIZE THE CITY OF LUMBERTON TO LEVY AN ADDITIONAL, TEMPORARY ROOM OCCUPANCY TAX, TO MODIFY THE PURPOSES FOR WHICH THE LUMBERTON ROOM OCCUPANCY TAX CAN BE USED, AND TO AUTHORIZE THE CITY OF SHELBY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX. (S.L. 1997-361)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committee are presented:

By Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Committee on Finance:

House Committee Substitute for **S.B. 439**, A BILL TO BE ENTITLED AN ACT TO CONFORM THE NORTH CAROLINA SECURITIES ACT AND THE INVESTMENT ADVISERS ACT TO THE NATIONAL SECURITIES MARKETS IMPROVEMENT ACT OF 1996, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **S.B. 730**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO THE ISSUANCE OF BONDS BY INDUSTRIAL FACILITIES AND POLLUTION CONTROL FINANCING AUTHORITIES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 812, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR SPECIAL REGISTRATION PLATES FOR SUPPORTERS OF THE GREAT SMOKY MOUNTAINS NATIONAL PARK, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

MESSAGE FROM THE SENATE

The following is received from the Senate:

Senate Committee Substitute for **H.B. 1064**, A BILL TO BE ENTITLED AN ACT TO ALLOW A HOUSING AUTHORITY TO TERMINATE OR FAIL TO RENEW A LEASE IF A TENANT ENGAGES IN CRIMINAL ACTIVITY AND TO ALLOW CERTAIN SUMMARY EJECTMENT ACTIONS INITIATED BY A HOUSING AUTHORITY TO BE HELD IN DISTRICT COURT INSTEAD OF IN MAGISTRATE'S COURT, is returned for concurrence in Senate committee substitute and referred to the Committee on Rules, Calendar, and Operations of the House.

Upon concurrence, the Senate committee substitute changes the title.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 668**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CUMBERLAND COUNTY TO REQUIRE OWNERS OF RENTAL PROPERTY IN THE COUNTY TO AUTHORIZE AN AGENT TO ACCEPT SERVICE OF PROCESS IN HOUSING CODE CASES AND CASES INITIATED BY THE LOCAL BOARD OF HEALTH.

On motion of Representative Warner, the House concurs in the Senate committee substitute, by electronic vote (96-0), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 495**, A BILL TO BE ENTITLED AN ACT TO ADDRESS NORTH CAROLINA'S URGENT INFRASTRUCTURE NEEDS BY CLARIFYING THAT THE NORTH CAROLINA UTILITIES COMMISSION MAY ESTABLISH DIFFERENT RATES FOR NATURAL GAS SERVICE TO UNSERVED COUNTIES THAT REFLECT THE COST OF PROVIDING SERVICE TO THE UNSERVED COUNTIES AND AUTHORIZING THE CREATION OF NATURAL GAS DISTRICTS FOR NATURAL GAS EXPANSION.

On motion of Representative Owens, the House concurs in the material Senate amendment on its second roll call reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baddour, Baker, Beall, Berry, Black, Boyd-McIntyre, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Dedmon, Dickson, Dockham, Easterling, Eddins, Esposito, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hall, Hardy, Hensley, Hiatt, Hill, Holmes, Howard, H. Hunter, R. Hunter, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Ramsey, Rayfield, Reynolds, Russell, Sexton, Sherrill, Smith, Starnes, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 93.

Voting in the negative: None.

Excused absences: Representatives Aldridge, Barbee, Blue, Brawley, Cunningham, Davis, Hackney, Hardaway, Hightower, Hurley, McAllister, Preston, Redwine, Saunders, Shubert, Sutton, and Wood - 17.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute No. 3 for **H.B. 794**, A BILL TO BE ENTITLED AN ACT TO MAKE SUBSTANTIVE CHANGES TO THE NORTH CAROLINA ENGINEERING AND LAND SURVEYING ACT, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baddour, Baker, Beall, Berry, Black, Bowie, Boyd-McIntyre, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Decker, Dedmon, Dickson, Dockham,

Easterling, Eddins, Ellis, Esposito, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hall, Hardy, Hensley, Hiatt, Hill, Holmes, Howard, H. Hunter, R. Hunter, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McComas, McCombs, McCrary, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Ramsey, Rayfield, Reynolds, Rogers, Russell, Sexton, Sherrill, Starnes, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 95.

Voting in the negative: None.

Excused absences: Representatives Aldridge, Barbee, Blue, Brawley, Cunningham, Davis, Hackney, Hardaway, Hightower, Hurley, McAllister, Preston, Redwine, Saunders, Shubert, Sutton, and Wood - 17.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 53**, A BILL TO BE ENTITLED AN ACT TO ADJUST ADMINISTRATIVE PENALTIES FOR ADULT CARE HOMES AND NURSING HOMES WHICH ARE FOUND TO BE IN VIOLATION OF APPLICABLE STATE AND FEDERAL LAWS AND REGULATIONS, passes its second reading, by electronic vote (95-1), and there being no objection is read a third time.

Representative Redwine requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (96-1).

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

Committee Substitute No. 3 for **H.B. 949**, A BILL TO BE ENTITLED AN ACT TO IMPROVE CHILD PROTECTION BY ALLOWING DISCLOSURE OF CERTAIN RECORDS.

Representative Gardner offers Amendment No. 1 which is adopted by electronic vote (95-0).

The bill, as amended, passes its second reading, by electronic vote (96-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

Committee Substitute for **S.B. 312**, A BILL TO BE ENTITLED AN ACT TO REGULATE CHECK-CASHING BUSINESSES, passes its third reading, by the following vote, and is ordered enrolled and presented to the Governor.

Those voting in the affirmative are: Representatives Arnold, Baddour, Baker, Berry, Black, Bowie, Brown, Buchanan, Cansler, Capps, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Daughtry, Decker, Dedmon, Dickson, Dockham, Easterling, Eddins, Ellis, Esposito, Gardner, Goodwin, Grady, Gray, Hall, Hardy, Hiatt, Hill, Holmes, Howard, H. Hunter, R. Hunter, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Luebke, McComas, McCombs, McMahan, Mercer, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nichols, Nye, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Russell, Sexton, Sherrill, Smith, Starnes, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 83.

Voting in the negative: Representatives Adams, Alexander, Allred, Beall, Boyd-McIntyre, Carpenter, Fox, Gamble, Gulley, Hensley, Kiser, McCrary, Michaux, Miller, Oldham, and Rogers - 16.

Excused absences: Representatives Aldridge, Barbee, Blue, Brawley, Cunningham, Davis, Hackney, Hardaway, Hightower, Hurley, McAllister, Saunders, Shubert, Sutton, and Wood - 15.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute No. 3 for **S.B. 157**, A BILL TO BE ENTITLED AN ACT TO EXPAND THE TIME CORPORATIONS AND LIMITED LIABILITY COMPANIES MAY APPLY FOR REINSTATEMENT FROM ADMINISTRATIVE DISSOLUTION, TO AMEND THE LAW GOVERNING DISSENTERS' RIGHTS PROCEDURES AND THE FILING OF DOCUMENTS BY LIMITED LIABILITY COMPANIES, TO ALLOW FACSIMILE SIGNATURES AND ADVISORY REVIEW OF DOCUMENTS BY THE SECRETARY OF STATE, AND TO CLARIFY CORRECTIONS PROCEDURES, LIMITED LIABILITY NAME AVAILABILITY, AND THE DEFINITION OF FOREIGN PROFESSIONAL CORPORATIONS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION AND OTHERS, AND TO AUTHORIZE THE CREATION OF SINGLE MEMBER LIMITED LIABILITY COMPANIES, TO ALLOW A PARENT CORPORATION TO BE MERGED INTO ITS SUBSIDIARY CORPORATION IN CERTAIN CIRCUMSTANCES, TO REMOVE THE REQUIREMENT THAT A PUBLIC CORPORATION

MUST WAIT THIRTY DAYS BEFORE IT CAN FILE ITS ARTICLES OF MERGER WITH THE SECRETARY OF STATE, TO INCREASE THE FEES FOR THE FILING OF CERTAIN DOCUMENTS, AND TO PROVIDE THAT ANNUAL REPORTS OF MOST BUSINESS CORPORATIONS AND LIMITED LIABILITY COMPANIES SHALL BE FILED WITH THE DEPARTMENT OF REVENUE RATHER THAN THE SECRETARY OF STATE, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Arnold, Baddour, Baker, Berry, Black, Bowie, Boyd-McIntyre, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Daughtry, Decker, Dickson, Dockham, Easterling, Eddins, Ellis, Esposito, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hall, Hardy, Hensley, Hiatt, Hill, Holmes, Howard, H. Hunter, R. Hunter, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Sexton, Sherrill, Smith, Starnes, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 97.

Voting in the negative: Representative Allred.

Excused absences: Representatives Aldridge, Barbee, Blue, Brawley, Cunningham, Davis, Hackney, Hardaway, Hightower, Hurley, McAllister, Saunders, Shubert, Sutton, and Wood - 15.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute No. 2 for S.B. 676, A BILL TO BE ENTITLED AN ACT TO AMEND THE SEXUAL OFFENDER REGISTRATION PROGRAM TO COMPLY WITH FEDERAL LAW.

Representative Decker offers Amendment No. 1.

Representative Hensley inquires if the amendment is germane to the title of the bill. The Speaker rules that the amendment is germane to the title and is properly before the Body.

On motion of Representative Redwine and without objection, the bill, with pending Amendment No. 1, is withdrawn from the Calendar and placed on the Calendar of August 7.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 1096**, A BILL TO BE ENTITLED AN ACT TO ADJUST CERTAIN STATUTES AFFECTING THE TRUCKING INDUSTRY TO ENCOURAGE THE GROWTH OF THAT INDUSTRY THROUGH INCREASED TRUCK REGISTRATIONS IN THIS STATE; TO PROVIDE CONSUMER PROTECTION PROVISIONS; AND TO PROVIDE FOR A STUDY OF CERTAIN TRUCKING-RELATED PROVISIONS BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

Representative McComas requests that he be excused from voting on this bill, due to a conflict of interest, under Rule 24.1A and this request is granted.

Representative Hiatt offers Amendment No. 1.

On motion of the Chair, the bill, with Amendment No. 1 pending, is temporarily displaced.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 382**, A BILL TO BE ENTITLED AN ACT REDEFINING THE BASE PERIOD FOR UNEMPLOYMENT BENEFITS AND ELIMINATING THE ONE AND ONE-HALF TIMES TEST, passes its second reading, by electronic vote (94-0), and there being no objection is read a third time.

Representative McComas requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (95-0).

The bill passes its third reading and is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 699**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE PLACE OF BUSINESS OF A MOTOR VEHICLE DEALER WHO SELLS ONLY TRAILERS OR SEMITRAILERS DOES NOT HAVE TO MEET THE REQUIREMENTS SET FOR AN ESTABLISHED OFFICE OR SALESROOM OF A MOTOR VEHICLE DEALER, passes its second reading, by electronic vote (97-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

Committee Substitute for **H.B. 1096**, A BILL TO BE ENTITLED AN ACT TO ADJUST CERTAIN STATUTES AFFECTING THE TRUCKING INDUSTRY TO ENCOURAGE THE GROWTH OF THAT INDUSTRY THROUGH INCREASED TRUCK REGISTRATIONS IN THIS STATE; TO PROVIDE CONSUMER PROTECTION PROVISIONS; AND TO PROVIDE FOR A STUDY OF CERTAIN TRUCKING-RELATED PROVISIONS BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, which was temporarily displaced with Amendment No. 1 pending, is before the Body.

Representative Luebke offers perfecting Amendment No. 2.

On motion of the Chair, the bill, with Amendments No. 1 and No. 2 pending, is temporarily displaced.

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
August 6, 1997

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that pursuant to the Proclamation issued by Governor James B. Hunt, Jr., on August 5, 1997, Kenneth R. Moore is appointed to fill the seat vacated by the resignation of Senator Donald R. Kincaid. Senator Moore is seated with full privileges as a member of the Senate representing the 27th Senatorial District for the remainder of the 1997 General Assembly of North Carolina.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

RE-REFERRALS

On motion of Representative Esposito and without objection, House

Committee Substitute for **S.B. 19**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT STUDENTS MASTER THE BASICS AT ONE GRADE LEVEL BEFORE THEY ARE PROMOTED TO THE NEXT GRADE LEVEL, is withdrawn from the Committee on Appropriations and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Dockham and without objection, **S.B. 273**, A BILL TO BE ENTITLED AN ACT PERTAINING TO THE COVERAGE OF POSTMASTECTOMY INPATIENT CARE UNDER HEALTH INSURANCE PLANS, is withdrawn from the Committee on Insurance, Subcommittee on Health and re-referred to the Committee on Insurance.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan and without objection, House Committee Substitute for **S.B. 682**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF DURHAM TO REQUIRE THAT CHALLENGES TO VOLUNTARY ANNEXATIONS BY THE CITY BE FILED WITHIN THIRTY DAYS AFTER THE ADOPTION OF THE ANNEXATION ORDINANCE, is withdrawn from the Calendar pursuant to Rule 36(a) and re-referred to the Committee on Finance.

On motion of Representative Morgan, seconded by Representative Tallent, the House adjourns at 11:56 a.m. to reconvene August 7 at 10:00 a.m.

ONE HUNDRED TENTH DAY

HOUSE OF REPRESENTATIVES
Thursday, August 7, 1997

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain.

"Almighty God, in the beginning, as You were creating heaven and earth, certainly You had a vision which You used to fashion all of creation. Certainly, You must have had a vision through which You could see how Your people, made in Your image, would grow and develop as people of God. How sad You must have been when our ancestors ignored that vision. How disheartened You must have been when the people cried out for a king because they had not enough faith in You to guide them through life. How disappointed You must be when, even now, Your people turn away from Your will in search of their own motivation to be God.

"O Lord, who sees deep within the heart of every woman and man, place within this generation of humanity a desire to follow Your vision for our lives. Give us a clear picture of Truth and Justice and Equity among all Your people. Grant us the conviction of heart to cling, not to our own sight, but to Thine. Break our hearts of stone so that willingly and freely, we would yield not unto temptation, but would cleave to all that which is pleasing and acceptable in Your sight. With nothing less than conversion in our hearts we pray...Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of August 6 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (86-0).

Leaves of absence are granted Representatives Aldridge, Barbee, Blue, Braswell, Brawley, Cunningham, Daughtry, Davis, Hackney, Hardaway, Hightower, Insko, Luebke, McAllister, Mosley, Redwine, Saunders, Shubert, Tallent, and Wood for today. Representative Bowie is excused for a portion of the session.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

S.B. 60, AN ACT TO CLARIFY THE RULES FOR MAKING LEFT TURNS ON VARIOUS ROADWAYS.

S.B. 182, AN ACT TO ALLOW THE WILDLIFE RESOURCES COMMISSION TO ADOPT CERTAIN TEMPORARY RULES.

S.B. 312, AN ACT TO REGULATE CHECK-CASHING BUSINESSES.

S.B. 382, AN ACT REDEFINING THE BASE PERIOD FOR UNEMPLOYMENT BENEFITS AND ELIMINATING THE ONE AND ONE-HALF TIMES TEST.

S.B. 847, AN ACT TO EXEMPT FROM SALES AND USE TAX REUSABLE INDUSTRIAL CONTAINERS USED AS PACKAGING FOR TANGIBLE PERSONAL PROPERTY.

S.B. 974, AN ACT TO AUTHORIZE THE EMPLOYMENT SECURITY COMMISSION TO WAIVE INTEREST ON LATE CONTRIBUTIONS, TO MODIFY THE CALCULATION AND COLLECTION OF UNEMPLOYMENT INSURANCE TAXES, AND TO GIVE FLEXIBILITY TO THE EMPLOYMENT SECURITY COMMISSION IN SCHEDULING WHEN CLAIMANTS MUST REPORT TO THE LOCAL COMMISSION OFFICES.

H.B. 485, AN ACT TO AMEND VARIOUS STATUTES RELATING TO THE PRACTICE OF FUNERAL SERVICE, CREMATIONS, AND FUNERAL AND BURIAL TRUST FUNDS.

H.B. 1110, AN ACT AMENDING THE STATUTES RELATED TO LANDSCAPE ARCHITECTS.

ENROLLED BILL

The following bill is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 668, AN ACT TO AUTHORIZE CUMBERLAND COUNTY TO REQUIRE OWNERS OF RENTAL PROPERTY IN THE COUNTY TO AUTHORIZE AN AGENT TO ACCEPT SERVICE OF PROCESS IN HOUSING CODE CASES AND CASES INITIATED BY THE LOCAL BOARD OF HEALTH.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representative Dockham for the Committee on Insurance:

S.B. 273, A BILL TO BE ENTITLED AN ACT PERTAINING TO THE COVERAGE OF POSTMASTECTOMY INPATIENT CARE UNDER HEALTH INSURANCE PLANS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

CONFERENCE REPORT

Representative Russell sends forth the Conference Report on House Committee Substitute No. 2 for **S.B. 297**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS GOVERNING CHARTER SCHOOLS. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of August 11.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 269**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF BURLINGTON, NORTH CAROLINA, TO CONVEY CERTAIN SURPLUS PROPERTY BY PRIVATE SALE TO HABITAT FOR HUMANITY OF ALAMANCE COUNTY, N.C., INC., is returned for concurrence in Senate committee substitute and referred to the Committee on Rules, Calendar, and Operations of the House.

The Senate committee substitute is ruled to be material, thus constituting its first reading.

Upon concurrence, the Senate committee substitute changes the title.

Senate Committee Substitute for **H.B. 786**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF CONCORD TO ALLOW THE CITY MANAGER TO APPOINT THE FINANCE DIRECTOR AND THE CITY CLERK, is returned for concurrence in Senate committee substitute and referred to the Committee on Rules, Calendar, and Operations of the House.

The Senate committee substitute is ruled to be material, thus constituting its first reading.

Upon concurrence, the Senate committee substitute changes the title.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 495**, A BILL TO BE ENTITLED AN ACT TO ADDRESS NORTH CAROLINA'S URGENT INFRA-STRUCTURE NEEDS BY CLARIFYING THAT THE NORTH CAROLINA UTILITIES COMMISSION MAY ESTABLISH DIFFERENT RATES FOR NATURAL GAS SERVICE TO UNSERVED COUNTIES THAT REFLECT THE COST OF PROVIDING SERVICE TO THE UNSERVED COUNTIES AND AUTHORIZING THE CREATION OF NATURAL GAS DISTRICTS FOR NATURAL GAS EXPANSION.

The House concurs in the material Senate committee substitute on its third roll call reading, by the following vote, and the bill is ordered enrolled and presented to the Governor.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baddour, Baker, Beall, Berry, Bowie, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Decker, Dedmon, Dickson, Dockham, Easterling, Eddins, Ellis, Esposito, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hardy, Hensley, Hiatt, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, McComas, McCombs, McCrary, McMahan, Michaux, Miner, Mitchell, Moore, Morgan, Morris, Neely, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Reynolds, Rogers, Russell, Sexton, Sherrill, Starnes, Sutton, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 88.

Voting in the negative: None.

Excused absences: Representatives Aldridge, Barbee, Blue, Braswell, Brawley, Cunningham, Daughtry, Davis, Hackney, Hardaway, Hightower, Insko, Luebke, McAllister, Mosley, Redwine, Saunders, Shubert, Tallent, and Wood - 20.

House Committee Substitute No. 3 for **S.B. 157**, A BILL TO BE ENTITLED AN ACT TO EXPAND THE TIME CORPORATIONS AND LIMITED LIABILITY COMPANIES MAY APPLY FOR REIN-STATEMENT FROM ADMINISTRATIVE DISSOLUTION, TO AMEND THE LAW GOVERNING DISSENTERS' RIGHTS PROCEDURES AND THE FILING OF DOCUMENTS BY LIMITED LIABILITY COMPANIES,

TO ALLOW FACSIMILE SIGNATURES AND ADVISORY REVIEW OF DOCUMENTS BY THE SECRETARY OF STATE, AND TO CLARIFY CORRECTIONS PROCEDURES, LIMITED LIABILITY NAME AVAILABILITY, AND THE DEFINITION OF FOREIGN PROFESSIONAL CORPORATIONS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION AND OTHERS, AND TO AUTHORIZE THE CREATION OF SINGLE MEMBER LIMITED LIABILITY COMPANIES, TO ALLOW A PARENT CORPORATION TO BE MERGED INTO ITS SUBSIDIARY CORPORATION IN CERTAIN CIRCUMSTANCES, TO REMOVE THE REQUIREMENT THAT A PUBLIC CORPORATION MUST WAIT THIRTY DAYS BEFORE IT CAN FILE ITS ARTICLES OF MERGER WITH THE SECRETARY OF STATE, TO INCREASE THE FEES FOR THE FILING OF CERTAIN DOCUMENTS, AND TO PROVIDE THAT ANNUAL REPORTS OF MOST BUSINESS CORPORATIONS AND LIMITED LIABILITY COMPANIES SHALL BE FILED WITH THE DEPARTMENT OF REVENUE RATHER THAN THE SECRETARY OF STATE.

Representative Allred offers Amendment No. 1 which is adopted by electronic vote (57-37).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate for concurrence in House Committee Substitute No. 3.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baddour, Baker, Beall, Berry, Black, Bowie, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Decker, Dedmon, Dickson, Dockham, Easterling, Eddins, Ellis, Esposito, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hall, Hardy, Hensley, Hiatt, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Reynolds, Rogers, Russell, Sexton, Sherrill, Smith, Starnes, Sutton, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 94.

Voting in the negative: Representative Gamble.

Excused absences: Representatives Aldridge, Barbee, Blue, Braswell, Brawley, Cunningham, Daughtry, Davis, Hackney, Hardaway, Hightower,

Insko, Luebke, McAllister, Mosley, Redwine, Saunders, Shubert, Tallent, and Wood - 20.

Committee Substitute No. 3 for **H.B. 794**, A BILL TO BE ENTITLED AN ACT TO MAKE SUBSTANTIVE CHANGES TO THE NORTH CAROLINA ENGINEERING AND LAND SURVEYING ACT, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baddour, Baker, Beall, Berry, Black, Bowie, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Crawford, Creech, Culp, Culpepper, Decker, Dedmon, Dickson, Dockham, Easterling, Eddins, Ellis, Esposito, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hall, Hardy, Hensley, Hiatt, Hill, Holmes, Howard, H. Hunter, R. Hunter, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Reynolds, Rogers, Russell, Sexton, Sherrill, Smith, Starnes, Sutton, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 93.

Voting in the negative: None.

Excused absences: Representatives Aldridge, Barbee, Blue, Braswell, Brawley, Cunningham, Daughtry, Davis, Hackney, Hardaway, Hightower, Insko, Luebke, McAllister, Mosley, Redwine, Saunders, Shubert, Tallent, and Wood - 20.

House Committee Substitute No. 2 for **S.B. 676**, A BILL TO BE ENTITLED AN ACT TO AMEND THE SEXUAL OFFENDER REGISTRATION PROGRAM TO COMPLY WITH FEDERAL LAW, with Amendment No. 1 pending, is before the Body.

Representative Decker withdraws Amendment No. 1.

Representative Decker offers Amendment No. 2.

Representative Decker calls the previous question on the amendment and the call is sustained by electronic vote (61-32).

Amendment No. 2 fails of adoption by electronic vote (45-46).

Representative Capps offers Amendment No. 3 which is adopted by electronic vote (88-1).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baddour, Baker, Beall, Berry, Black, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Decker, Dedmon, Dickson, Dockham, Easterling, Eddins, Ellis, Esposito, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hall, Hardy, Hensley, Hiatt, Hill, Holmes, Howard, H. Hunter, R. Hunter, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Reynolds, Rogers, Russell, Sexton, Sherrill, Smith, Starnes, Sutton, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 92.

Voting in the negative: None.

Excused absences: Representatives Aldridge, Barbee, Blue, Bowie, Braswell, Brawley, Cunningham, Daughtry, Davis, Hackney, Hardaway, Hightower, Insko, Luebke, McAllister, Mosley, Redwine, Saunders, Shubert, Tallent, and Wood - 21.

Committee Substitute for **H.B. 1096**, A BILL TO BE ENTITLED AN ACT TO ADJUST CERTAIN STATUTES AFFECTING THE TRUCKING INDUSTRY TO ENCOURAGE THE GROWTH OF THAT INDUSTRY THROUGH INCREASED TRUCK REGISTRATIONS IN THIS STATE; TO PROVIDE CONSUMER PROTECTION PROVISIONS; AND TO PROVIDE FOR A STUDY OF CERTAIN TRUCKING-RELATED PROVISIONS BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, with Perfecting Amendment No. 2 and Amendment No. 1 pending, is before the Body.

Pursuant to Rule 24.1A(c), the excused vote for Representative McComas from August 6 is continued.

Perfecting Amendment No. 2 is adopted by electronic vote (86-1).

Amendment No. 1 is adopted by electronic vote (87-1).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baddour, Baker, Beall, Berry, Black, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Decker, Dedmon, Dickson, Dockham, Easterling, Eddins, Ellis, Esposito, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hall, Hardy, Hiatt, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Reynolds, Rogers, Russell, Sexton, Sherrill, Smith, Starnes, Sutton, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 92.

Voting in the negative: Representative Hensley.

Excused vote: Representative McComas.

Excused absences: Representatives Aldridge, Barbee, Blue, Bowie, Braswell, Brawley, Cunningham, Daughtry, Davis, Hackney, Hardaway, Hightower, Insko, Luebke, McAllister, Mosley, Redwine, Saunders, Shubert, Tallent, and Wood - 21.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute No. 2 for **S.B. 455**, A BILL TO BE ENTITLED AN ACT TO IMPROVE HMO SERVICES BY PROTECTING PHYSICIAN COMMUNICATIONS REGARDING TREATMENT, REQUIRING COVERAGE FOR EMERGENCY CARE, REDUCING THE APPROVAL PERIOD FOR RATE FILINGS, AND PROMOTING COLLABORATION BETWEEN HMOS AND PUBLIC HEALTH DEPARTMENTS, passes its second reading by electronic vote (93-0).

Representative Black objects to the third reading. The bill remains on the Calendar.

MESSAGE FROM THE SENATE

The following is received from the Senate:

Committee Substitute No. 2 for **H.B. 1231**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SUPPLEMENTAL SOURCES OF REVENUE FOR LOCAL GOVERNMENT TRANSIT FINANCING, is returned for

concurrence in two Senate amendments and placed on the Calendar of August 11.

Senate Amendment No. 1 is ruled to be material, thus constituting its first reading.

RE-REFERRAL

On motion of Representative Miner, House Committee Substitute for S.B. 564, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA FINANCIAL PRIVACY ACT TO PERMIT THE DISCLOSURE OF THE NAME, ADDRESS, AND TYPE OF ACCOUNT OF ANY CUSTOMER, is withdrawn from the Committee on Commerce and re-referred to the Committee on Rules, Calendar, and Operations of the House.

PERMISSION GRANTED

Pursuant to Rule 28(e), the Speaker grants permission for conference committees to meet while the House is not in session.

On motion of Representative Morgan, seconded by Representative Gulley, the House adjourns at 11:22 a.m. to reconvene Monday, August 11, 1997 at 6:00 p.m.

ONE HUNDRED ELEVENTH DAY

HOUSE OF REPRESENTATIVES

Monday, August 11, 1997

The House meets at 6:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Don Davis.

The Speaker leads the Body in the Pledge of Allegiance.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of August 7 has been examined

and found correct. Upon his motion, the Journal is approved as written by electronic vote (89-0).

Leaves of absence are granted Representatives Aldridge, Bonner, Capps, Eddins, Ellis, Gray, Hackney, Hightower, Luebke, and Wright for today. Representatives Goodwin, R. Hunter, and Sutton are excused for a portion of the session.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

S.B. 53, AN ACT TO ADJUST ADMINISTRATIVE PENALTIES FOR ADULT CARE HOMES AND NURSING HOMES WHICH ARE FOUND TO BE IN VIOLATION OF APPLICABLE STATE AND FEDERAL LAWS AND REGULATIONS.

S.B. 699, AN ACT TO PROVIDE THAT THE PLACE OF BUSINESS OF A MOTOR VEHICLE DEALER WHO SELLS ONLY TRAILERS OR SEMITRAILERS DOES NOT HAVE TO MEET THE REQUIREMENTS SET FOR AN ESTABLISHED OFFICE OR SALESROOM OF A MOTOR VEHICLE DEALER.

H.B. 495, AN ACT TO ADDRESS NORTH CAROLINA'S URGENT INFRASTRUCTURE NEEDS BY CLARIFYING THAT THE NORTH CAROLINA UTILITIES COMMISSION MAY ESTABLISH DIFFERENT RATES FOR NATURAL GAS SERVICE TO UNSERVED COUNTIES THAT REFLECT THE COST OF PROVIDING SERVICE TO THE UNSERVED COUNTIES AND AUTHORIZING THE CREATION OF NATURAL GAS DISTRICTS FOR NATURAL GAS EXPANSION.

CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

S.B. 975, AN ACT TO REWRITE THE LAWS CONCERNING EMPLOYER AND EMPLOYER GROUP WORKERS' COMPENSATION SELF-INSURANCE AND CODIFY RELATED ADMINISTRATIVE RULES AND TO PROVIDE FOR GUIDELINES FOR PERSONS AND ENTITIES THAT ADMINISTER OR SERVICE WORKERS' COMPENSATION BUSINESS FOR SELF-INSURED EMPLOYERS AND EMPLOYER GROUPS. (S.L. 1997-362)

H.B. 63, AN ACT TO RESTORE EXTRATERRITORIAL PLANNING POWERS OF THE TOWN OF RIVER BEND BUT PROHIBIT IT FROM MAKING INVOLUNTARY ANNEXATIONS AND CONCERNING ANNEXATION OF AREAS BY THE TOWNS OF MOREHEAD CITY AND NEWPORT WHERE PLANNING JURISDICTION WAS RECENTLY GRANTED TO THOSE TOWNS BY LOCAL ACT. (S.L. 1997-363)

H.B. 859, AN ACT TO AUTHORIZE BRUNSWICK COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, TO AUTHORIZE CERTAIN MUNICIPALITIES IN BRUNSWICK COUNTY TO LEVY OR INCREASE LOCAL OCCUPANCY TAXES, AND TO AUTHORIZE PERSON COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX. (S.L. 1997-364)

S.B. 172, AN ACT TO AUTHORIZE THE ISSUANCE OF HUNTING LICENSES FOR CERTAIN DISABLED HUNTERS WHO HAVE NOT COMPLIED WITH THE HUNTING SAFETY COURSE REQUIREMENT. (S.L. 1997-365)

S.B. 178, AN ACT TO ALLOW THE SECRETARY OF CULTURAL RESOURCES TO PROPOSE LANDS TO BE ACQUIRED WITH FUNDS FROM THE NATURAL HERITAGE TRUST FUND, TO AUTHORIZE EXPENDITURES FROM THE FUND FOR CONSERVATION AND PROTECTION PLANNING AND EDUCATIONAL PROGRAMS FOR OWNERS OF NATURE PRESERVES UNDER THE NATURE PRESERVES ACT, AND TO AUTHORIZE THE BOARD OF TRUSTEES OF THE FUND TO ENTER INTO AGREEMENTS FOR THE MANAGEMENT OF ACQUIRED LANDS WITH QUALIFIED NONPROFIT ORGANIZATIONS. (S.L. 1997-366)

S.B. 208, AN ACT PERTAINING TO THE SANITIZATION OF COOKING UTENSILS PROVIDED BY LODGING ESTABLISHMENTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE. (S.L. 1997-367)

S.B. 371, AN ACT TO EXTEND THE INTERNATIONAL COMMERCIAL ARBITRATION ACT TO PROVIDE FOR CONCILIATION OF DISPUTES. (S.L. 1997-368)

S.B. 374, AN ACT TO EXEMPT FROM SALES AND USE TAX NUTRITIONAL SUPPLEMENTS SOLD BY CHIROPRACTORS. (S.L. 1997-369)

H.B. 14, AN ACT TO MODIFY THE SALES TAX DEFINITION OF CUSTOM COMPUTER SOFTWARE. (S.L. 1997-370)

H.B. 305, AN ACT TO INCREASE THE LIMIT FOR AN ASSESSMENT WHEN THE ASSESSMENT IS PAID BY PEANUT PRODUCERS FOR THE PROMOTION OF PEANUTS AND AMENDING THE STRAWBERRY ASSESSMENT ACT TO IMPROVE THE COLLECTION OF ASSESSMENTS. (S.L. 1997-371)

S.B. 919, AN ACT TO REQUIRE DISCONTINUATION OF TELECOMMUNICATIONS SERVICES USED FOR UNLAWFUL PURPOSES. (S.L. 1997-372)

H.B. 967, AN ACT TO PROVIDE SELECTION OF EITHER OF THE TWO NEAREST ROUTES TO A NON-LIGHT-TRAFFIC ROAD, AND TO SPECIFY THAT THE DEPARTMENT OF TRANSPORTATION MAY ADOPT A RULE ALLOWING SPECIAL WEIGHT PERMITS TO BE ISSUED FOR VEHICLES TRANSPORTING WOOD RESIDUALS ON NON-INTERSTATE HIGHWAYS, AS AUTHORIZED BY EXISTING STATE LAW. (S.L. 1997-373)

H.B. 1032, AN ACT TO DIRECT THE COMMISSION FOR HEALTH SERVICES TO ADOPT A RULE TO AUTHORIZE THE USE OF DESIGN CRITERIA FOR MUNICIPAL SOLID WASTE LANDFILLS THAT COMPLIES WITH FEDERAL LAW AND THAT PROVIDES FOR ALTERNATE LANDFILL LINERS THAT ARE AT LEAST AS PROTECTIVE AS THE CURRENTLY AUTHORIZED LANDFILL LINER. (S.L. 1997-374)

S.B. 320, AN ACT TO ALLOW THE ESTABLISHMENT OF PROGRAMS TO TRAIN LICENSED NURSES TO CONDUCT MEDICAL EXAMINATIONS OF VICTIMS OF SEXUAL OFFENSES, TO CONDUCT MEDICAL PROCEDURES TO COLLECT EVIDENCE FROM THE VICTIMS, AND TO ALLOW DIRECT PAYMENT TO NURSES WHO PROVIDE THIS SERVICE. (S.L. 1997-375)

H.B. 176, AN ACT TO CLARIFY RESPONSIBILITIES AND LIABILITY FOR EQUINE ACTIVITIES AND TO CLARIFY THE DUTIES OF ROLLER SKATING RINK OPERATORS AND SKATERS AT ROLLER SKATING RINKS RELATING TO LIABILITY. (S.L. 1997-376)

H.B. 524, AN ACT TO INCREASE THE CAP ON THE AMOUNT OF DRIVERS LICENSE RESTORATION FEES THAT ARE DEPOSITED IN

A FUND FOR ALCOHOL STUDIES ENDOWMENT AT THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL. (S.L. 1997-377)

H.B. 668, AN ACT TO AUTHORIZE CUMBERLAND COUNTY TO REQUIRE OWNERS OF RENTAL PROPERTY IN THE COUNTY TO AUTHORIZE AN AGENT TO ACCEPT SERVICE OF PROCESS IN HOUSING CODE CASES AND CASES INITIATED BY THE LOCAL BOARD OF HEALTH. (S.L. 1997-378)

H.B. 448, AN ACT TO IMPLEMENT THE GOVERNOR'S RECOMMENDATIONS ON DRIVING WHILE IMPAIRED. (S.L. 1997-379)

S.B. 389, AN ACT TO ESTABLISH THE FORSYTH-GUILFORD METROPOLITAN BASEBALL PARK DISTRICT, TO PROVIDE FOR A REFERENDUM ON BASEBALL PARK FINANCING IN THE DISTRICT, AND TO ALLOW BASEBALL PARK DISTRICTS TO ENTER INTO INSTALLMENT FINANCING AGREEMENTS. (S.L. 1997-380)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committee are presented:

By Representatives Brawley, Dickson, and C. Wilson, Co-Chairs, for the Committee on Finance:

Committee Substitute No. 2 for **H.B. 502**, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF MOTOR VEHICLE TO INCLUDE PERSONAL WATERCRAFT AND ALL TERRAIN VEHICLES SOLD BY DEALERS OTHERWISE SUBJECT TO THE MOTOR VEHICLE DEALER AND MANUFACTURERS LICENSING LAW, with a favorable report as to Committee Substitute Bill No. 3, which changes the title, unfavorable as to Committee Substitute Bill No. 2.

Pursuant to Rule 36(a), Committee Substitute Bill No. 3 is placed on the Calendar. Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

House Committee Substitute for **S.B. 426**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SPECIAL REGISTRATION LICENSE PLATES ON CERTAIN COMMERCIAL MOTOR VEHICLES, TO PROVIDE SPECIAL REGISTRATION LICENSE PLATES FOR MAGISTRATES, AND TO ADVANCE THE DATE FOR ISSUANCE OF SPECIAL

REGISTRATION LICENSE PLATES FOR SHERIFFS, with a favorable report as to House Committee Substitute Bill No. 2, which changes the title, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 2 is placed on the Calendar. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber

August 7, 1997

Mr. Speaker:

On **S.B. 442** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENSURE THAT PUBLIC SCHOOL STUDENTS RECEIVE ACCURATE INSTRUCTION ON OUR AMERICAN HISTORY, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees to the end that when a similar action has been taken on the part of your Honorable Body, the President will order the bill enrolled.

Respectfully,

S/ Janet B. Pruitt

Principal Clerk

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute No. 2 for **H.B. 35**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE TIME ALLOWED GOVERNMENT ENTITIES AND NONPROFIT ENTITIES FOR CLAIMING SALES TAX REFUNDS, is returned for concurrence in Senate Committee Substitute No. 2 and placed on the Calendar of August 12.

The Senate committee substitute is ruled to be material, thus constituting its first reading.

Upon concurrence, the Senate committee substitute changes the title.

Senate Committee Substitute for **H.B. 183**, A BILL TO BE ENTITLED AN ACT TO INCLUDE PRIOR IMPAIRED DRIVING CONVICTIONS IN FELONY PRIOR RECORD LEVEL CALCULATION, TO PROVIDE FOR AN INDEFINITE CIVIL SUSPENSION OF A DRIVERS LICENSE WHEN A DRIVER IS CHARGED WITH AN IMPAIRED DRIVING OFFENSE WHILE ANOTHER IMPAIRED DRIVING OFFENSE IS PENDING DISPOSITION, AND TO ALLOW FOR MODIFICATION OF SENTENCE FOR IMPAIRED DRIVING ON REMAND TO DISTRICT COURT OR WITHDRAWAL OF APPEAL, is returned for concurrence in Senate committee substitute and referred to the Committee on Rules, Calendar, and Operations of the House.

Upon concurrence, the Senate committee substitute changes the title.

Senate Committee Substitute for **H.B. 866**, A BILL TO BE ENTITLED AN ACT TO EXPAND THE CARTERET COUNTY BOARD OF EDUCATION FROM FIVE TO SEVEN MEMBERS AND TO PROVIDE THAT THEIR DISTRICTS ARE THE SAME AS FOR THE BOARD OF COMMISSIONERS, SUBJECT TO A REFERENDUM, AND TO PROVIDE FOR PARTISAN ELECTIONS, SUBJECT TO A REFERENDUM; AND TO PROVIDE THAT FIVE MEMBERS OF THE MOORE COUNTY BOARD OF EDUCATION BE ELECTED FROM THE SAME DISTRICTS AS ARE THE MEMBERS OF THE BOARD OF COMMISSIONERS AND THE REMAINING THREE MEMBERS OF THE MOORE COUNTY BOARD OF EDUCATION BE ELECTED AT LARGE, SUBJECT TO A REFERENDUM, AND TO PROVIDE FOR PARTISAN ELECTIONS, SUBJECT TO A REFERENDUM, is returned for concurrence in Senate committee substitute and placed on the Calendar of August 12.

Upon concurrence, the Senate committee substitute changes the title.

Senate Committee Substitute for **H.B. 1115**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE CANCELLATION OF INSURANCE POLICIES THAT PROVIDE COVERAGE FOR CHURCHES FOR LOSSES RESULTING FROM A FIRE, is returned for concurrence in Senate committee substitute and referred to the Committee on Rules, Calendar, and Operations of the House.

CONFERENCE REPORT

Representative Daughtry moves the adoption of the following Conference Report.

House Committee Substitute for S.B. 297

To: The President of the Senate
The Speaker of the House of Representatives

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 297, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS GOVERNING CHARTER SCHOOLS, Seventh Edition Engrossed 7/3/97, submit the following report:

The Senate and House agree to the following amendment to the House Committee Substitute, Seventh Edition Engrossed 7/3/97, and the Senate Concurs in the House Committee Substitute as amended:

Delete the entire House Committee Substitute and substitute the attached Proposed Conference Committee Substitute S297-PCCS2799.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: August 5, 1997.

*Conferees for the
Senate*

S/ Wib P. Gulley, Chairman
S/ Leslie Winner
S/ Howard Lee
S/ Fletcher L. Hartsell, Jr.

*Conferees for the
House of Representatives*

S/ N. Leo Daughtry, Chair
S/ C.B. Russell
S/ Wayne Sexton
S/ Richard Moore
S/ Stan Fox
S/ Warren C. Oldham

The Conference Report is adopted, by electronic vote (91-8), and the Senate is so notified by Special Message. (The Conference Committee Substitute may be found in its entirety in the Appendix.)

CALENDAR

Action is taken on the following:

Committee Substitute No. 2 for **H.B. 1231**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SUPPLEMENTAL SOURCES OF REVENUE FOR LOCAL GOVERNMENT TRANSIT FINANCING.

Pursuant to Rule 24.1A(c), the excused vote of Representative Cole from July 23 is continued.

Representative Miner moves that the House concur in material Senate Amendment No. 1.

The motion fails by the following vote.

Those voting in the affirmative are: Representatives Adams, Alexander, Baddour, Barbee, Black, Bowie, Buchanan, Carpenter, Church, Clary, Crawford, Culp, Cunningham, Dedmon, Dockham, Easterling, Goodwin, Gulley, Hardaway, Hardy, Hill, Hurley, Insko, Ives, Kiser, McCombs, McMahan, Miner, Mitchell, Moore, Morris, Neely, Owens, Rayfield, Reynolds, Rogers, Saunders, Sexton, Tallent, Weatherly, Wilkins, C. Wilson, and Yongue - 43.

Voting in the negative: Representatives Allred, Arnold, Baker, Beall, Blue, Boyd-McIntyre, Braswell, Brawley, Brown, Cansler, Creech, Culpepper, Daughtry, Davis, Dickson, Earle, Esposito, Fox, Gamble, Gardner, Grady, Hall, Hensley, Hiatt, Holmes, Howard, H. Hunter, R. Hunter, Jeffus, Justus, Kinney, McAllister, McComas, McCrary, Mercer, Michaux, Miller, Morgan, Mosley, Nesbitt, Nichols, Nye, Oldham, Preston, Redwine, Russell, Sherrill, Shubert, Smith, Starnes, Thompson, Tolson, Wainwright, Warner, Warwick, G. Wilson, Womble, and Wood - 58.

Excused vote: Representative Cole.

Excused absences: Representatives Aldridge, Bonner, Capps, Eddins, Ellis, Gray, Hackney, Hightower, Luebke, Sutton, and Wright - 11.

On motion of Representative Miner, the House concurs in Senate Amendment No. 2 by electronic vote (76-22).

The Senate is so notified by Special Message that the House fails to concur in the material Senate Amendment No. 1.

House Committee Substitute No. 2 for **S.B. 676**, A BILL TO BE ENTITLED AN ACT TO AMEND THE SEXUAL OFFENDER REGISTRATION PROGRAM TO COMPLY WITH FEDERAL LAW.

On motion of the Chair, the bill is temporarily displaced.

Committee Substitute for **H.B. 1096**, A BILL TO BE ENTITLED AN ACT TO ADJUST CERTAIN STATUTES AFFECTING THE TRUCKING INDUSTRY TO ENCOURAGE THE GROWTH OF THAT INDUSTRY THROUGH INCREASED TRUCK REGISTRATIONS IN THIS STATE; TO PROVIDE CONSUMER PROTECTION PROVISIONS; AND TO PROVIDE FOR A STUDY OF CERTAIN TRUCKING-RELATED PROVISIONS BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

Pursuant to Rule 24.1A(c), the excused vote for Representative McComas from August 6 is continued.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Black, Blue, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Carpenter, Church, Clary, Cole, Creech, Culp, Culpepper, Cunningham, Davis, Dedmon, Dickson, Dockham, Earle, Easterling, Esposito, Fox, Gamble, Gardner, Goodwin, Grady, Gulley, Hall, Hardaway, Hardy, Hiatt, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jeffus, Justus, Kinney, Kiser, McAllister, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Tallent, Thompson, Tolson, Wainwright, Warner, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 98.

Voting in the negative: Representative Warwick.

Excused vote: Representative McComas.

Excused absences: Representatives Aldridge, Bonner, Capps, Eddins, Ellis, Gray, Hackney, Hightower, Luebke, Sutton, and Wright - 11.

Committee Substitute for **S.B. 861**, A BILL TO BE ENTITLED AN ACT AMENDING THE DISPENSING OPTICIANS ACT, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Black, Blue, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Carpenter,

Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Davis, Dedmon, Dickson, Dockham, Earle, Easterling, Esposito, Fox, Gamble, Gardner, Goodwin, Grady, Gulley, Hall, Hardaway, Hardy, Hensley, Hiatt, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jeffus, Justus, Kinney, Kiser, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 102.

Voting in the negative: None.

Excused absences: Representatives Aldridge, Bonner, Capps, Eddins, Ellis, Gray, Hackney, Hightower, Luebke, Sutton, and Wright - 11.

House Committee Substitute No. 2 for **S.B. 455**, A BILL TO BE ENTITLED AN ACT TO IMPROVE HMO SERVICES BY PROTECTING PHYSICIAN COMMUNICATIONS REGARDING TREATMENT, REQUIRING COVERAGE FOR EMERGENCY CARE, REDUCING THE APPROVAL PERIOD FOR RATE FILINGS, AND PROMOTING COLLABORATION BETWEEN HMOS AND PUBLIC HEALTH DEPARTMENTS, passes its third reading, by electronic vote (99-0), and is ordered engrossed and sent to the Senate for concurrence in House Committee Substitute No. 2.

S.J.R. 1081, A JOINT RESOLUTION HONORING THE MEMORY OF JACKIE ROBINSON AND RECOGNIZING WALTER FENNER "BUCK" LEONARD ON THE FIFTIETH ANNIVERSARY OF JACKIE ROBINSON'S BREAKING THE COLOR BARRIER IN MAJOR LEAGUE BASEBALL, passes its second reading, by electronic vote (98-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

S.B. 327, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES TO THE GENERAL STATUTES GOVERNING THE DEPARTMENT OF CULTURAL RESOURCES AND THE NORTH CAROLINA HISTORICAL COMMISSION, passes its second reading, by electronic vote (96-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

S.B. 597, A BILL TO BE ENTITLED AN ACT TO ALLOW PHYSICIANS PRACTICING PSYCHIATRY AND PSYCHOLOGISTS TO FORM PROFESSIONAL CORPORATIONS WITH LICENSED PROFESSIONAL COUNSELORS, passes its second reading, by electronic vote (97-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

House Committee Substitute No. 2 for **S.B. 862, A BILL TO BE ENTITLED AN ACT TO PROVIDE GREATER FLEXIBILITY TO THE UNIVERSITY OF NORTH CAROLINA IN NEGOTIATING CERTAIN CONTRACTS AND CAPITAL PROJECTS, TO INCREASE THE BENCHMARK FOR PURCHASES BY THE UNIVERSITY OF NORTH CAROLINA AND OTHER STATE AGENCIES, AND TO AUTHORIZE EMPLOYEE PAYROLL DEDUCTIONS FOR CERTAIN DISCRETIONARY PRIVILEGES OF UNIVERSITY SERVICE AT THE UNIVERSITY OF NORTH CAROLINA,** passes its second reading, by electronic vote (96-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House Committee Substitute No. 2.

RE-REFERRAL

On motion of Representative Brawley, Committee Substitute for **S.B. 475, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA WOMENWORK FUND FOR DISPLACED HOMEMAKERS TO BE ADMINISTERED BY THE NORTH CAROLINA COUNCIL FOR WOMEN, AND TO ESTABLISH AN ADDITIONAL CIVIL ACTION FEE TO BE COLLECTED BY THE COURT IN DIVORCE ACTIONS,** is withdrawn from the Committee on Finance and re-referred to the Committee on Appropriations.

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative Morgan, the following bills are withdrawn from the Calendar pursuant to Rule 36(a) and re-referred to the Committee on Rules, Calendar, and Operations of the House:

House Committee Substitute for **S.B. 565**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE APPLICATION OF THE COMMISSIONER OF BANKS' RATE TO VARIABLE RATE LOANS WITH ADJUSTMENT PERIODS GREATER THAN ONE MONTH, TO REPEAL THE LAWS GOVERNING VARIABLE RATE LOANS OF MANUFACTURED HOMES AND INSTALLMENT RATES AND FEES, AND TO ESTABLISH FINANCE CHARGE RATES FOR CONSUMER CREDIT INSTALLMENT SALES CONTRACTS FOR WATERCRAFTS;

House Committee Substitute for **S.B. 826**, A BILL TO BE ENTITLED AN ACT TO PROVIDE "QUICK TAKE" PROCEDURES IN EMINENT DOMAIN PROCEEDINGS BY SCHOOL BOARDS; AND TO EXPAND THE CARTERET COUNTY BOARD OF EDUCATION FROM FIVE TO SEVEN MEMBERS AND TO PROVIDE THAT THEIR DISTRICTS ARE THE SAME AS FOR THE BOARD OF COMMISSIONERS, SUBJECT TO A REFERENDUM, AND TO PROVIDE FOR PARTISAN ELECTIONS, SUBJECT TO A REFERENDUM; AND TO PROVIDE THAT FIVE MEMBERS OF THE MOORE COUNTY BOARD OF EDUCATION BE ELECTED FROM THE SAME DISTRICTS AS ARE THE MEMBERS OF THE BOARD OF COMMISSIONERS AND THE REMAINING THREE MEMBERS OF THE MOORE COUNTY BOARD OF EDUCATION BE ELECTED AT LARGE, SUBJECT TO A REFERENDUM, AND TO PROVIDE FOR PARTISAN ELECTIONS, SUBJECT TO A REFERENDUM; and

Committee Substitute for **H.B. 760**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF CARRBORO.

On motion of Representative Morgan, seconded by Representative Blue, the House adjourns in memory of Catherine Bonner, mother of Representative Donald Bonner, at 6:57 p.m. to reconvene August 12 at 10:00 a.m.

ONE HUNDRED TWELFTH DAY

HOUSE OF REPRESENTATIVES

Tuesday, August 12, 1997

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain.

"Eternal God, throughout history, You have raised up persons for leadership. Throughout the story of Your people, You have called people out of their chosen vocations and placed them in positions of servant-leadership. Over the course of time, many of those to whom You have given the honor of trust and power, have abused this gift in order to further their own position and status and political posture. If we look back at the story of Your people, we can see the demise of these persons who chose themselves first over others. But, just as well, over the course of human history, there have risen to places of influence, to positions of power, those whose sincere desire and goal was to serve God and to serve God's people without worrying about what it would cost them. They knew that following You costs either everything or nothing. As we begin another week of legislative maneuvering, may we hear the words of Joshua echoing through our hearts, 'Choose you this day, whom you will serve, but as for me and my house, we will serve the Lord'. And, through these words, may our hearts rest in the peacefulness of knowing that we have made the right choice. Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of August 11 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (93-0).

Leaves of absence are granted Representatives Aldridge, Bonner, Capps, Eddins, Ellis, Gray, Hackney, Hall, Hardy, Luebke, and Neely for today. Representative Esposito is excused for a portion of the session.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

S.B. 327, AN ACT TO MAKE TECHNICAL CHANGES TO THE GENERAL STATUTES GOVERNING THE DEPARTMENT OF CULTURAL RESOURCES AND THE NORTH CAROLINA HISTORICAL COMMISSION.

S.B. 597, AN ACT TO ALLOW PHYSICIANS PRACTICING PSYCHIATRY AND PSYCHOLOGISTS TO FORM PROFESSIONAL CORPORATIONS WITH LICENSED PROFESSIONAL COUNSELORS.

S.B. 884, AN ACT AUTHORIZING THE DEPARTMENT OF TRANSPORTATION TO ESTABLISH A STATE INFRASTRUCTURE BANK.

CHAPTERED BILLS

The following resolutions are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

S.J.R. 1081, A JOINT RESOLUTION HONORING THE MEMORY OF JACKIE ROBINSON AND RECOGNIZING WALTER FENNER "BUCK" LEONARD ON THE FIFTIETH ANNIVERSARY OF JACKIE ROBINSON'S BREAKING THE COLOR BARRIER IN MAJOR LEAGUE BASEBALL. (RESOLUTION 29)

H.J.R. 1236, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF CALVIN LEE KOONCE, JR. (RESOLUTION 30)

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

Committee Substitute No. 2 for **S.B. 886**, A BILL TO BE ENTITLED AN ACT TO ADJUST CERTAIN STATUTES AFFECTING THE TRUCKING INDUSTRY TO ENCOURAGE THE GROWTH OF THAT INDUSTRY THROUGH INCREASED TRUCK REGISTRATIONS IN THIS STATE; TO PROVIDE CONSUMER PROTECTION PROVISIONS; AND TO PROVIDE FOR A STUDY OF CERTAIN TRUCKING-RELATED PROVISIONS BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

CONFERENCE REPORT

Representative Justus sends forth the Conference Report on House Committee Substitute for **S.B. 442**, A BILL TO BE ENTITLED AN ACT TO ENSURE THAT PUBLIC SCHOOL STUDENTS RECEIVE ACCURATE INSTRUCTION ON OUR AMERICAN HISTORY. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of August 13.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 866**, A BILL TO BE ENTITLED AN ACT TO EXPAND THE CARTERET COUNTY BOARD OF EDUCATION FROM FIVE TO SEVEN MEMBERS AND TO PROVIDE THAT THEIR DISTRICTS ARE THE SAME AS FOR THE BOARD OF COMMISSIONERS, SUBJECT TO A REFERENDUM, AND TO PROVIDE FOR PARTISAN ELECTIONS, SUBJECT TO A REFERENDUM; AND TO PROVIDE THAT FIVE MEMBERS OF THE MOORE COUNTY BOARD OF EDUCATION BE ELECTED FROM THE SAME DISTRICTS AS ARE THE MEMBERS OF THE BOARD OF COMMISSIONERS AND THE REMAINING THREE MEMBERS OF THE MOORE COUNTY BOARD OF EDUCATION BE ELECTED AT LARGE, SUBJECT TO A REFERENDUM, AND TO PROVIDE FOR PARTISAN ELECTIONS, SUBJECT TO A REFERENDUM.

On motion of Representative Preston, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (101-0), and the bill is ordered enrolled.

Senate Committee Substitute No. 2 for **H.B. 35**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE TIME ALLOWED GOVERNMENT ENTITIES AND NONPROFIT ENTITIES FOR CLAIMING SALES TAX REFUNDS.

On motion of Representative Cansler, the House concurs in the material Senate committee substitute on its second roll call reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gulley, Hardaway, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 107.

Voting in the negative: None.

Excused absences: Representatives Aldridge, Bonner, Capps, Eddins, Ellis, Esposito, Gray, Hackney, Hall, Hardy, Luebke, and Neely - 12.

Committee Substitute for **S.B. 861**, A BILL TO BE ENTITLED AN ACT AMENDING THE DISPENSING OPTICIANS ACT, passes its third reading, by the following vote, and is ordered enrolled and presented to the Governor.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gulley, Hardaway, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 107.

Voting in the negative: None.

Excused absences: Representatives Aldridge, Bonner, Capps, Eddins, Ellis, Esposito, Gray, Hackney, Hall, Hardy, Luebke, and Neely - 12.

House Committee Substitute No. 2 for **S.B. 676**, A BILL TO BE ENTITLED AN ACT TO AMEND THE SEXUAL OFFENDER REGISTRATION PROGRAM TO COMPLY WITH FEDERAL LAW.

Representative Decker offers Amendment No. 4.

Representative Hensley offers Perfecting Amendment No. 5.

Representative Michaux moves that the bill, with Amendments No. 4 and No. 5 pending, be withdrawn from the Calendar and re-referred to the Committee on Judiciary I.

On motion of Representative Morgan, the bill, with Amendments No. 4 and No. 5 pending, is postponed until August 13 by electronic vote (95-9).

CONFEREES APPOINTED

The Speaker announces the following conferees on Committee Substitute No. 2 for **H.B. 1231**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SUPPLEMENTAL SOURCES OF REVENUE FOR LOCAL GOVERNMENT TRANSIT FINANCING: Representative McMahan, Chair; Representatives Miner and Blue.

The Senate is so notified by Special Message.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 439**, A BILL TO BE ENTITLED AN ACT TO CONFORM THE NORTH CAROLINA SECURITIES ACT AND THE INVESTMENT ADVISERS ACT TO THE NATIONAL SECURITIES MARKETS IMPROVEMENT ACT OF 1996, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gulley, Hardaway, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kiser, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 104.

Voting in the negative: None.

Excused absences: Representatives Aldridge, Bonner, Capps, Eddins, Ellis, Esposito, Gray, Hackney, Hall, Hardy, Luebke, and Neely - 12.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 812, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR SPECIAL REGISTRATION PLATES FOR SUPPORTERS OF THE GREAT SMOKY MOUNTAINS NATIONAL PARK, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtry, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gulley, Hardaway, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kiser, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 100.

Voting in the negative: Representatives Arnold, Creech, Davis, and Hensley - 4.

Excused absences: Representatives Aldridge, Bonner, Capps, Eddins, Ellis, Esposito, Gray, Hackney, Hall, Hardy, Luebke, and Neely - 12.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

Senate Committee Substitute No. 3 for **H.B. 1097, A BILL TO BE ENTITLED AN ACT TO ENACT THE FISHERIES REFORM ACT OF 1997 TO PROTECT, ENHANCE, AND BETTER MANAGE COASTAL FISHERIES IN NORTH CAROLINA,** is returned for concurrence in Senate committee substitute and placed on the Calendar of August 13.

On motion of Representative Morgan, seconded by Representative Allred, the House adjourns at 10:57 a.m. to reconvene August 13 at 10:00 a.m.

ONE HUNDRED THIRTEENTH DAY**HOUSE OF REPRESENTATIVES**

Wednesday, August 13, 1997

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain.

"Great God of Heaven, early in the morning as the sun rises to meet us, incline our hearts to seek Thy face. As noontime falls upon us and we refresh our bodies with food, fill us with manna from heaven. When evening comes, bring us to a time and place of peace and rest.

"Throughout our days, O God, remind us of our need to find a home within our hearts for You to dwell. Take away our sin so that we might have more room for You to reside. Take our eyes, and see through them. Take our minds and speak through them. Take our hands and work through them. Take our lips and speak through them. Take our work...and make it right! Take our hearts and set them on fire for Your sake and for the sake of Your kingdom that has only begun, but will one day be made complete. Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of August 12 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (83-0).

Leaves of absence are granted Representatives Aldridge, Bonner, Braswell, Buchanan, Capps, Ellis, Gamble, Hackney, Hall, Hardy, Kinney, Luebke, and Neely for today. Representatives Hardaway and Hurley are excused for a portion of the session.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

S.B. 297, AN ACT TO AMEND THE LAWS GOVERNING CHARTER SCHOOLS.

S.B. 833, AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA.

S.B. 861, AN ACT AMENDING THE DISPENSING OPTICIANS ACT.

ENROLLED BILL

The following bill is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 866, AN ACT TO PROVIDE THAT FIVE MEMBERS OF THE MOORE COUNTY BOARD OF EDUCATION BE ELECTED FROM THE SAME DISTRICTS AS ARE THE MEMBERS OF THE BOARD OF COMMISSIONERS AND THE REMAINING THREE MEMBERS OF THE MOORE COUNTY BOARD OF EDUCATION BE ELECTED AT LARGE, SUBJECT TO A REFERENDUM, AND TO PROVIDE FOR PARTISAN ELECTIONS, SUBJECT TO A REFERENDUM, AND TO EXPAND THE CARTERET COUNTY BOARD OF EDUCATION FROM FIVE TO SEVEN MEMBERS, AND TO PROVIDE THAT THEIR DISTRICTS ARE THE SAME AS FOR THE BOARD OF COMMISSIONERS.

CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

H.B. 239, AN ACT TO SPECIFY THAT ONE MEMBER OF THE ENVIRONMENTAL MANAGEMENT COMMISSION SHALL HAVE EMPLOYMENT EXPERIENCE IN INDUSTRIAL AIR AND WATER POLLUTION CONTROL AT AN INDUSTRIAL MANUFACTURING FACILITY, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION. (S.L. 1997-381)

H.B. 408, AN ACT TO CREATE A FUEL PIPING LICENSE FOR PLUMBING AND HEATING CONTRACTORS, TO AUTHORIZE THE BOARD OF EXAMINERS OF PLUMBING, HEATING, AND FIRE SPRINKLER CONTRACTORS TO CREATE OTHER RESTRICTED LICENSE CLASSIFICATIONS, TO ALLOW THE REVOCATION OR SUSPENSION OF A LICENSE FOR FAILURE TO COMPLY WITH RULES PROMULGATED BY THE BOARD, AND TO CLARIFY WHEN

A PERSON PERFORMING ON-SITE ASSEMBLY OF FACTORY DESIGNED DRAIN SYSTEMS IS EXEMPT FROM THE PLUMBING LICENSURE REQUIREMENTS. (S.L. 1997-382)

H.B. 510, AN ACT TO ALLOW THE STATE BOARD OF EDUCATION TO ADOPT POLICIES SETTING MINIMUM SCORES FOR CERTIFICATION OF PROFESSIONAL SCHOOL PERSONNEL. (S.L. 1997-383)

S.B. 168, AN ACT TO INCREASE THE EXAMINATION AND CERTIFICATION FEES COLLECTED UNDER THE NURSING PRACTICE ACT. (S.L. 1997-384)

S.B. 571, AN ACT TO PLACE ON THE SCHEDULE II CONTROLLED SUBSTANCES LIST THE DRUG REMIFENTANIL AND SALTS THEREOF, IN ACCORDANCE WITH FEDERAL LAW. (S.L. 1997-385)

S.B. 250, AN ACT TO CLARIFY PERFECTION OF A SECURITY INTEREST IN AFTER-ACQUIRED REAL PROPERTY. (S.L. 1997-386)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Barbee for the Committee on Pensions and Retirement:

S.B. 713, A BILL TO BE ENTITLED AN ACT TO REPEAL THE AUTHORIZATION OF SUPPLEMENTAL RETIREMENT BENEFITS FOR FIREMEN IN THE CITY OF RALEIGH, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of August 14.

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

Senate Committee Substitute for **H.B. 761**, A BILL TO BE ENTITLED AN ACT TO ALLOW HILLSBOROUGH TO CONTRACT FOR INSPECTION SERVICES, with recommendation that the House concur.

The bill is placed on the Calendar of August 14.

Senate Committee Substitute for **H.B. 847**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN WATER AND SEWER AUTHORITIES TO ENTER INTO CERTAIN AGREEMENTS, with recommendation that the House concur.

The bill is placed on the Calendar of August 14.

Senate Committee Substitute for **H.B. 990**, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN NONPROFIT AND CONSUMER-OWNED WATER OR SEWER UTILITIES FROM REGULATION BY THE UTILITIES COMMISSION, with recommendation that the House concur.

The bill is placed on the Calendar of August 14.

H.B. 1077, A BILL TO BE ENTITLED AN ACT REGULATING THE PRACTICE OF MASSAGE AND BODYWORK THERAPIES, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

Senate Committee Substitute No. 2 for **H.B. 1108**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE PERMITS FOR "BREW ON PREMISES" BUSINESSES, with recommendation that the House do not concur; request conferees.

The bill is placed on the Calendar of August 14.

Committee Substitute for **S.B. 424**, A BILL TO BE ENTITLED AN ACT CONCERNING ANNEXATION OF NONCONTIGUOUS AREAS BY THE TOWNS OF APEX, FUQUAY-VARINA, KNIGHTDALE, AND WAKE FOREST, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 38(b), the House committee substitute bill is re-referred to the Committee on Finance. The Senate committee substitute bill is placed on the Unfavorable Calendar.

House Committee Substitute for **S.B. 565**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE APPLICATION OF THE COMMISSIONER

OF BANKS' RATE TO VARIABLE RATE LOANS WITH ADJUSTMENT PERIODS GREATER THAN ONE MONTH, TO REPEAL THE LAWS GOVERNING VARIABLE RATE LOANS OF MANUFACTURED HOMES AND INSTALLMENT RATES AND FEES, AND TO ESTABLISH FINANCE CHARGE RATES FOR CONSUMER CREDIT INSTALLMENT SALES CONTRACTS FOR WATERCRAFTS, with a favorable report as to House Committee Substitute Bill No. 2, which changes the title, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 2 is placed on the Calendar of August 14. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

S.B. 595, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE NORTH CAROLINA MEDICAL BOARD TO LICENSE INSTEAD OF APPROVE PHYSICIAN ASSISTANTS, TO ISSUE A PHYSICIAN ASSISTANT LIMITED VOLUNTEER LICENSE, AND TO MAKE OTHER CHANGES IN THE STATUTES REGULATING PHYSICIAN ASSISTANTS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

House Committee Substitute for **S.B. 826**, A BILL TO BE ENTITLED AN ACT TO PROVIDE "QUICK TAKE" PROCEDURES IN EMINENT DOMAIN PROCEEDINGS BY SCHOOL BOARDS; AND TO EXPAND THE CARTERET COUNTY BOARD OF EDUCATION FROM FIVE TO SEVEN MEMBERS AND TO PROVIDE THAT THEIR DISTRICTS ARE THE SAME AS FOR THE BOARD OF COMMISSIONERS, SUBJECT TO A REFERENDUM, AND TO PROVIDE FOR PARTISAN ELECTIONS, SUBJECT TO A REFERENDUM; AND TO PROVIDE THAT FIVE MEMBERS OF THE MOORE COUNTY BOARD OF EDUCATION BE ELECTED FROM THE SAME DISTRICTS AS ARE THE MEMBERS OF THE BOARD OF COMMISSIONERS AND THE REMAINING THREE MEMBERS OF THE MOORE COUNTY BOARD OF EDUCATION BE ELECTED AT LARGE, SUBJECT TO A REFERENDUM, AND TO PROVIDE FOR PARTISAN ELECTIONS, SUBJECT TO A REFERENDUM, with a favorable report as to House Committee Substitute Bill No. 2, which changes the title, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 2 is placed on the Calendar of August 14. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

S.B. 842, A BILL TO BE ENTITLED AN ACT TO EXEMPT PERSONS PERFORMING CERTAIN ALTERATIONS, REMODELING, AND RENOVATIONS OF EXISTING BUILDINGS OR STRUCTURES FROM THE ARCHITECTURAL LICENSURE REQUIREMENTS, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 918**, A BILL TO BE ENTITLED AN ACT TO AMEND THE DUTY OF PERSONS WHO DISCHARGE OIL OR ANY HAZARDOUS SUBSTANCE TO REPORT THE DISCHARGE TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 973**, A BILL TO BE ENTITLED AN ACT TO REQUIRE HEALTH BENEFIT PLANS TO PROVIDE CERTAIN INFORMATION, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

House Committee Substitute No. 2 for **S.B. 1**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE FILING SCHEDULE OF CAMPAIGN REPORTS; TO REQUIRE THE LISTING OF A CONTRIBUTOR'S PRINCIPAL OCCUPATION AND TO PROVIDE FOR A "BEST EFFORTS" RULE; TO REQUIRE THAT COORDINATED PARTY EXPENDITURES BE REPORTED; TO EXPAND REPORTING IN LOCAL ELECTIONS AND REFERENDA AND TO SET A THREE THOUSAND DOLLAR THRESHOLD FOR REPORTING GENERALLY; TO REQUIRE ELECTRONIC FILING OF CERTAIN CAMPAIGN REPORTS AND INTERNET ACCESS; TO PROVIDE FOR CIVIL PENALTIES FOR LATE FILING OF CAMPAIGN REPORTS; TO CLOSE THE SECOND PRIMARY LOOPHOLE FOR CONTRIBUTION

LIMITS; TO REWRITE AND EXPAND THE LIMITS ON FUND-RAISING DURING LEGISLATIVE SESSIONS; TO PROVIDE FOR A TWO DOLLAR CHECKOFF FOR THE POLITICAL PARTIES FINANCING FUND AND TO CHANGE THE METHOD FOR DISTRIBUTING MONEY FROM THAT FUND; TO REQUIRE THE DISCLOSURE OF SPENDING FOR MATERIAL THAT NAMES CANDIDATES, ELECTIONS, PARTIES, AND ISSUES; AND TO DISCLOSE THE FLOW OF MONEY THROUGH NORTH CAROLINA AND NATIONAL POLITICAL ORGANIZATIONS, with a favorable report as to House Committee Substitute Bill No. 3, which changes the title, unfavorable as to House Committee Substitute Bill No. 2.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 3 is placed on the Calendar. House Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

S.B. 583, A BILL TO BE ENTITLED AN ACT TO REQUIRE PHYSICIANS TO COMPLETE ONE HUNDRED FIFTY HOURS OF CONTINUING EDUCATION, TO REQUIRE PHYSICIANS TO REGISTER ANNUALLY WITH THE NORTH CAROLINA MEDICAL BOARD AND TO MAKE A TECHNICAL CHANGE IN THE PRACTICE OF MEDICINE ACT, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 757**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH ADVANCE INSTRUCTION FOR MENTAL HEALTH TREATMENT, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar of August 14. The Senate committee substitute bill is placed on the Unfavorable Calendar.

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
August 12, 1997

Mr. Speaker:

Pursuant to your message received Monday, August 11, 1997, that the House of Representatives fails to concur in Senate Amendment No. 1 to **H.B. 1231** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SUPPLEMENTAL SOURCES OF REVENUE FOR LOCAL GOVERNMENT TRANSIT FINANCING, and pursuant to your message on Tuesday, August 12, 1997, requesting conferees, the President Pro Tempore appoints:

Senator Lucas, Chairman

Senator Hoyle

Senator Reeves

Senator Kinnaird

Senator Winner

Senator Rucho

on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
August 12, 1997

Mr. Speaker:

On **S.B. 297** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS GOVERNING CHARTER SCHOOLS, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees.

Pursuant to the message that your Honorable Body has adopted the report of the conferees, the President has ordered the bill enrolled.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

MESSAGE FROM THE SENATE

The following is received from the Senate:

Committee Substitute No. 2 for **H.B. 631**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE FORMULA FOR DISTRIBUTING THE PROCEEDS OF THE FORSYTH COUNTY OCCUPANCY TAXES, is returned for concurrence in two Senate amendments and placed on the Calendar of August 14.

Senate Amendment No. 2 is ruled to be material, thus constituting its first reading.

CONFERENCE REPORT

Representative Justus moves the adoption of the following Conference Report.

House Committee Substitute for S.B. 442

To: The President of the Senate
The Speaker of the House of Representatives

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 442, A BILL TO BE ENTITLED AN ACT TO ENSURE THAT PUBLIC SCHOOL STUDENTS RECEIVE ACCURATE INSTRUCTION ON OUR AMERICAN HISTORY, Fifth Edition Engrossed 6/26/97, submit the following report:

The Senate and House agree to the following amendment to the Fifth Edition Engrossed 6/26/97 and the Senate concurs in the Fifth Edition as amended:

Delete the entire Fifth Edition and substitute the attached Proposed Conference Committee Substitute S442-PCCS7851

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: August 4, 1997.

*Conferees for the
Senate*

S/ Austin Allran, Chairman
S/ Frank Ballance, Jr.
S/ Leslie Winner

*Conferees for the
House of Representatives*

S/ Larry T. Justus, Chair
S/ C. B. Russell
S/ Joe Kiser
S/ Dewey L. Hill

The Conference Report is adopted, by electronic vote (101-2), and the Senate is so notified by Special Message. (The Conference Committee Substitute may be found in its entirety in the Appendix).

CALENDAR

Action is taken on the following:

Senate Committee Substitute No. 2 for **H.B. 35**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE TIME ALLOWED GOVERNMENT ENTITIES AND NONPROFIT ENTITIES FOR CLAIMING SALES TAX REFUNDS.

The House concurs in the material Senate committee substitute, which changes the title, on its third roll call reading, by the following vote, and the bill is ordered enrolled and presented to the Governor.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Black, Blue, Bowie, Boyd-McIntyre, Brawley, Brown, Cansler, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hensley, Hiatt, Hightower, Hill, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kiser, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, G. Wilson, Womble, Wood, Wright, and Yongue - 101.

Voting in the negative: None.

Excused absences: Representatives Aldridge, Bonner, Braswell, Buchanan, Capps, Ellis, Gamble, Hackney, Hall, Hardaway, Hardy, Kinney, Luebke, and Neely - 14.

Senate Committee Substitute No. 3 for **H.B. 1097**, A BILL TO BE ENTITLED AN ACT TO ENACT THE FISHERIES REFORM ACT OF 1997 TO PROTECT, ENHANCE, AND BETTER MANAGE COASTAL FISHERIES IN NORTH CAROLINA.

On motion of Representative Preston, the House concurs in the material Senate committee substitute on its second roll call reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bowie, Boyd-McIntyre, Brawley, Brown, Cansler, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Easterling, Eddins, Esposito, Fitch, Fox, Gardner, Goodwin, Gray, Gulley, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kiser, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 98.

Voting in the negative: Representatives Allred, Earle, Grady, Smith, Starnes, Warwick, and Watson - 7.

Excused absences: Representatives Aldridge, Bonner, Braswell, Buchanan, Capps, Ellis, Gamble, Hackney, Hall, Hardaway, Hardy, Kinney, Luebke, and Neely - 14.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 897**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AMENDMENTS TO THE ELECTRONIC SURVEILLANCE LAW, passes its second reading, by electronic vote (103-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute No. 3 for **S.B. 561**, A BILL TO BE ENTITLED AN ACT TO REMEDY THE INADVERTENT EXCLUSION

OF DULY SWORN AND COMMISSIONED COMPANY POLICE OFFICERS FROM THE CONCEALED HANDGUN STATUTES, TO EXEMPT ACTIVE OR RETIRED COMPANY POLICE OFFICERS FROM THE TRAINING REQUIRED TO QUALIFY FOR A CONCEALED HANDGUN PERMIT IF THE OFFICER APPLIES FOR THE PERMIT WITHIN TWO YEARS OF RETIREMENT, AND TO CLARIFY THE MENTAL HEALTH REQUIREMENTS FOR A CONCEALED HANDGUN PERMIT.

On motion of Representative Justus and without objection, consideration of the bill is postponed until August 14.

House Committee Substitute No. 2 for **S.B. 676**, A BILL TO BE ENTITLED AN ACT TO AMEND THE SEXUAL OFFENDER REGISTRATION PROGRAM TO COMPLY WITH FEDERAL LAW, with Perfecting Amendment No. 5 and Amendment No. 4 pending, is before the Body.

Representative Hensley withdraws Perfecting Amendment No. 5.

Representative Russell offers Perfecting Amendment No. 6 which is adopted by electronic vote (106-0).

Representative Decker calls the previous question on Amendment No. 4 and the call is sustained by electronic vote (66-37).

Amendment No. 4 is adopted by electronic vote (71-34).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

Those voting in the affirmative are: Representatives Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Blue, Boyd-McIntyre, Brawley, Brown, Cansler, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Esposito, Fox, Gardner, Goodwin, Grady, Gray, Gullely, Hardaway, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Insko, Ives, Jarrell, Jeffus, Justus, Kiser, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent,

Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Wood, and Yongue - 97.

Voting in the negative: Representatives Adams, Fitch, Michaux, Miller, Womble, and Wright - 6.

Excused absences: Representatives Aldridge, Bonner, Braswell, Buchanan, Capps, Ellis, Gamble, Hackney, Hall, Hardy, Hurley, Kinney, Luebke, and Neely - 14.

The Speaker votes "aye". The adjusted vote total is (98-6).

House Committee Substitute for **S.B. 439**, A BILL TO BE ENTITLED AN ACT TO CONFORM THE NORTH CAROLINA SECURITIES ACT AND THE INVESTMENT ADVISERS ACT TO THE NATIONAL SECURITIES MARKETS IMPROVEMENT ACT OF 1996, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House committee substitute.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bowie, Boyd-McIntyre, Brawley, Brown, Cansler, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hardaway, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Insko, Ives, Jarrell, Jeffus, Justus, Kiser, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 105.

Voting in the negative: None.

Excused absences: Representatives Aldridge, Bonner, Braswell, Buchanan, Capps, Ellis, Gamble, Hackney, Hall, Hardy, Hurley, Kinney, Luebke, and Neely - 14.

S.B. 812, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR SPECIAL REGISTRATION PLATES FOR SUPPORTERS OF THE GREAT SMOKY MOUNTAINS NATIONAL PARK, passes its third

reading by the following vote, and is ordered enrolled and presented to the Governor.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bowie, Boyd-McIntyre, Brawley, Brown, Cansler, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtry, Decker, Dedmon, Dickson, Dockham, Easterling, Eddins, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hardaway, Hiatt, Hightower, Hill, Holmes, Howard, R. Hunter, Insko, Ives, Jarrell, Jeffus, Justus, Kiser, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 100.

Voting in the negative: Representatives Creech, Davis, Hensley, and H. Hunter - 4.

Excused absences: Representatives Aldridge, Bonner, Braswell, Buchanan, Capps, Ellis, Gamble, Hackney, Hall, Hardy, Hurley, Kinney, Luebke, and Neely - 14.

CONFERENCE REPORT

Representative McMahan sends forth the Conference Report on Committee Substitute No. 2 for **H.B. 1231**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SUPPLEMENTAL SOURCES OF REVENUE FOR LOCAL GOVERNMENT TRANSIT FINANCING. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of August 14.

RE-REFERRAL

On motion of Representative Watson, pursuant to Rule 39.2, Committee Substitute for **S.B. 516**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A STATE-ADMINISTERED LEAD-BASED PAINT HAZARD MANAGEMENT PROGRAM IN LIEU OF HAVING A FEDERALLY ADMINISTERED PROGRAM APPLY IN THIS STATE, is withdrawn from the Committee on Environment and re-referred to the Committee on Finance.

NOTICE OF INTENT TO CIRCULATE DISCHARGE PETITION

Representative Allred gives notice of his intent to circulate a discharge petition pursuant to Rule 39(b) on **H.B. 660, A BILL TO BE ENTITLED AN ACT TO REPEAL THE INTANGIBLES TAX ON STOCK FOR THE 1990 THROUGH 1994 TAX YEARS AND TO REFUND THE TAX WITH INTEREST FROM THE RAINY DAY FUND.**

On motion of Representative Morgan, seconded by Representative Allred, the House adjourns at 11:13 a.m. to reconvene August 14 at 10:00 a.m.

ONE HUNDRED FOURTEENTH DAY**HOUSE OF REPRESENTATIVES**

Thursday, August 14, 1997

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain.

"Most Merciful God, as we run this race that has been set before us, and as we prepare to finish its course, grant all of us the gifts of Your Spirit. Grant us the Spirit of courage to stand on our principles, yet temper our hearts to yield to Your Spirit of compromise. Grant us the Spirit of endurance to stay in the race, but provide ample rest stations for us from which we can refresh our weary souls. Grant us the Spirit of kindred minds and hearts and show us the faces of those for whom we work. Grant us the Spirit of humility to remember that we are not as great or as important as we may think we are. Grant us the Spirit of kindness, gentleness, and compassion so that our debates would be seasoned with an air of dignity, integrity, and a mutual respect for one another. Bring us at last to the end of this particular race, and in the end, let us all reflect upon the parts of the course where we can celebrate our strengths and make necessary adjustments to our weaknesses. As we break the tape and drop the handkerchief, may the glory of God go before us, clean up after us, and prepare the way to salvation that awaits us. O God, have mercy upon us, we pray. Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of August 13 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (100-0).

Leaves of absence are granted Representatives Aldridge, Capps, Ellis, Gamble, Hackney, Hall, Hardy, Kinney, and Neely for today. Representatives Daughtry and Jarrell are excused for a portion of the session.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

S.B. 442, AN ACT TO ENSURE THAT PUBLIC SCHOOL STUDENTS RECEIVE ACCURATE INSTRUCTION ON OUR AMERICAN HISTORY.

S.B. 812, AN ACT TO PROVIDE FOR SPECIAL REGISTRATION PLATES FOR SUPPORTERS OF THE GREAT SMOKY MOUNTAINS NATIONAL PARK.

S.B. 862, AN ACT TO PROVIDE GREATER FLEXIBILITY TO THE UNIVERSITY OF NORTH CAROLINA AND OTHER AGENCIES IN NEGOTIATING CERTAIN CONTRACTS AND CAPITAL PROJECTS, TO INCREASE THE BENCHMARK FOR PURCHASES BY THE UNIVERSITY OF NORTH CAROLINA AND OTHER STATE AGENCIES, AND TO AUTHORIZE EMPLOYEE PAYROLL DEDUCTIONS FOR CERTAIN DISCRETIONARY PRIVILEGES OF UNIVERSITY SERVICE AT THE UNIVERSITY OF NORTH CAROLINA.

H.B. 35, AN ACT TO EXTEND THE TIME ALLOWED FOR CLAIMING SALES TAX REFUNDS, MOTOR FUEL TAX REFUNDS, AND ALTERNATIVE FUEL TAX REFUNDS, AND TO PROVIDE THAT A MOTOR FUEL TAX REFUND IS NET OF THE SALES TAX DUE ON THE FUEL.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Committee on Finance:

Committee Substitute No. 2 for **S.B. 232**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE, SUBJECT TO A VOTE OF THE QUALIFIED VOTERS OF THE STATE, TO PROVIDE FUNDS FOR GRANTS, LOANS, AND REVOLVING LOANS TO LOCAL GOVERNMENT UNITS FOR WATER SUPPLY SYSTEMS, WASTEWATER COLLECTION SYSTEMS, WASTEWATER TREATMENT WORKS, AND WATER CONSERVATION PROJECTS, with a favorable report as to House committee substitute bill, unfavorable as to Senate Committee Substitute Bill No. 2.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. Senate Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

By Representative Dockham for the Committee on Insurance:

S.B. 299, A BILL TO BE ENTITLED AN ACT TO PROVIDE LONG-TERM CARE BENEFITS FOR QUALIFIED EMPLOYEES, RETIRED EMPLOYEES, AND THEIR DEPENDENTS UNDER THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

Senate Committee Substitute for **H.B. 183**, A BILL TO BE ENTITLED AN ACT TO INCLUDE PRIOR IMPAIRED DRIVING CONVICTIONS IN FELONY PRIOR RECORD LEVEL CALCULATION, TO PROVIDE FOR AN INDEFINITE CIVIL SUSPENSION OF A DRIVERS LICENSE WHEN A DRIVER IS CHARGED WITH AN IMPAIRED DRIVING OFFENSE WHILE ANOTHER IMPAIRED DRIVING OFFENSE IS PENDING DISPOSITION, AND TO ALLOW FOR MODIFICATION OF SENTENCE FOR IMPAIRED DRIVING ON REMAND TO DISTRICT COURT OR WITHDRAWAL OF APPEAL, with recommendation that the House do not concur; request conferees.

The bill is placed on the Calendar of August 18.

Committee Substitute for **H.B. 437**, A BILL TO BE ENTITLED AN ACT CHANGING THE METHOD FOR APPOINTMENT OF MEMBERS OF THE PILOT MOUNTAIN CIVIC AND RECREATION CENTER

AUTHORITY, with recommendation that the House do not concur; request conferees.

The bill is placed on the Calendar of August 18.

Senate Committee Substitute for **H.B. 1115**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE CANCELLATION OF INSURANCE POLICIES THAT PROVIDE COVERAGE FOR CHURCHES FOR LOSSES RESULTING FROM A FIRE, with recommendation that the House concur.

The bill is placed on the Calendar of August 18.

Senate Committee Substitute for **H.B. 1157**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE STATUTES OF LIMITATIONS FOR TAX REFUNDS, TO CLARIFY THE CORPORATE INCOME TAX ON CERTAIN TAX-EXEMPT OBLIGATIONS, AND TO DELETE THE CAP ON CORPORATE INCOME TAX DEDUCTIONS OF DIVIDENDS RECEIVED FROM REGULATED INVESTMENT COMPANIES, with recommendation that the House concur.

The bill is placed on the Calendar of August 18.

House Committee Substitute for **S.B. 441**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE AMOUNT ALLOCATED TO SHERIFFS FROM THE FEES CHARGED FOR CONCEALED HANDGUN APPLICATIONS AND RENEWALS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 814, A BILL TO BE ENTITLED AN ACT REQUIRING THAT NONRESIDENT PHYSICIANS WHO TREAT PATIENTS IN THIS STATE THROUGH THE USE OF ELECTRONIC OR OTHER MEDIUMS SHALL BE LICENSED IN THIS STATE AND SHALL BE SUBJECT TO REASONABLE REGULATIONS BY THE NORTH CAROLINA MEDICAL BOARD, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

S.B. 780, A BILL TO BE ENTITLED AN ACT REQUIRING THAT NONRESIDENT PHYSICIANS WHO TREAT PATIENTS IN THIS STATE

THROUGH THE USE OF ELECTRONIC OR OTHER MEDIUMS SHALL BE LICENSED IN THIS STATE AND SHALL BE SUBJECT TO REASONABLE REGULATIONS BY THE NORTH CAROLINA MEDICAL BOARD, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan, House Committee Substitute for **S.B. 232**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE, SUBJECT TO A VOTE OF THE QUALIFIED VOTERS OF THE STATE, TO PROVIDE FUNDS FOR GRANTS, LOANS, AND REVOLVING LOANS TO LOCAL GOVERNMENT UNITS FOR WATER SUPPLY SYSTEMS, WASTEWATER COLLECTION SYSTEMS, WASTEWATER TREATMENT WORKS, AND WATER CONSERVATION PROJECTS, is withdrawn from the Calendar pursuant to Rule 36(a) and re-referred to the Committee on Rules, Calendar, and Operations of the House.

INTRODUCTION OF BILL AND RESOLUTION

The following is introduced, read the first time and referred to committee:

By Representative Daughtry:

H.R. 1244, A HOUSE RESOLUTION COMMEMORATING THE FIFTIETH ANNIVERSARY OF INDIA'S INDEPENDENCE FROM BRITISH RULE, is referred to the Committee on Rules, Calendar, and Operations of the House.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 99**, A BILL TO BE ENTITLED AN ACT TO ALLOW CAMDEN COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS COUNTY BOARD OF EDUCATION, is returned for concurrence in Senate committee substitute and placed on the Calendar of August 18.

The Senate committee substitute is ruled to be material, thus constituting its first reading.

Upon concurrence, the Senate committee substitute changes the title.

Senate Committee Substitute for **H.B. 301**, A BILL TO BE ENTITLED AN ACT TO AMEND THE GENERAL STATUTES PERTAINING TO CHILD SUPPORT ENFORCEMENT IN ORDER TO ENHANCE CHILD SUPPORT ENFORCEMENT AND PATERNITY ESTABLISHMENT IN CONFORMANCE WITH FEDERAL WELFARE REFORM REQUIREMENTS, is returned for concurrence in Senate committee substitute and placed on the Calendar of August 18.

Senate Committee Substitute for **H.B. 418**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF MOUNT AIRY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, TO MODIFY THE DISTRIBUTION OF THE AVERY COUNTY OCCUPANCY TAX, AND TO REQUIRE PAYMENT OF DELINQUENT TAXES FOR THE TOWNS OF NEWLAND AND SPRUCE PINE AND FOR THE COUNTY OF ALLEGHANY BEFORE RECORDING DEEDS CONVEYING PROPERTY SUBJECT TO THE DELINQUENT TAXES, AND TO VALIDATE BUDGET PROCEDURES OF THE TOWN OF NORWOOD IN STANLY COUNTY, is returned for concurrence in Senate committee substitute and placed on the Calendar of August 18.

The Senate committee substitute is ruled to be material, thus constituting its first reading.

Upon concurrence, the Senate committee substitute changes the title.

CONFERENCE REPORT

Representative McMahan moves the adoption of the following Conference Report.

Committee Substitute No. 2 for H.B. 1231

To: The President of the Senate
The Speaker of the House of Representatives

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 1231, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SUPPLEMENTAL SOURCES OF

REVENUE FOR LOCAL GOVERNMENT TRANSIT FINANCING,
Committee Substitute #2 Favorable 7/16/97, submit the following report:

The Senate recedes from Senate Amendment #1 and the House of Representatives and the Senate agree to the following amendments to the Committee Substitute #2 Favorable 7/16/97:

on page 4, line 12, as amended by Senate Amendment #2, by rewriting the line to read:

"public transportation systems. This subsection does not apply to the City of Durham or to the cities and towns in Gaston County.";

and on page 4, line 2,

by deleting the phrase "105-506" and substituting "105-550";

and on page 8, line 38,

by renumbering Section 6 as Section 5.

The conferees recommend that the Senate and House of Representatives adopt this report.

Date conferees approved report: August 12, 1997.

*Conferees for the
Senate*

S/ Jeanne Hopkins Lucas, Chair
S/ David W. Hoyle
S/ Eric Miller Reeves
S/ Eleanor Kinnaird
S/ Leslie Winner
S/ Robert A. Rucho

*Conferees for the
House of Representatives*

S/ W. Edwin McMahan, Chair
S/ David Miner
S/ Daniel T. Blue, Jr.

Pursuant to Rule 24.1A(c), the excused vote of Representative Cole from July 23 is continued.

The Conference Report is adopted, by electronic vote (79-30), and the Senate is so notified by Special Message.

CALENDAR

Action is taken on the following:

Committee Substitute No. 2 for **H.B. 631**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE FORMULA FOR DISTRIBUTING THE PROCEEDS OF THE FORSYTH COUNTY OCCUPANCY TAXES.

On motion of Representative Decker, the House concurs in Senate Amendment No. 1 by electronic vote (100-6).

On motion of Representative Decker, the House concurs in the material Senate Amendment No. 2 on its second roll call reading, by the following vote, and the bill remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hardaway, Hensley, Hiatt, Hightower, Hill, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jeffus, Justus, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Nesbitt, Nichols, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 105.

Voting in the negative: Representatives Nye, Warwick, and Wood - 3.

Excused absences: Representatives Aldridge, Capps, Ellis, Gamble, Hackney, Hall, Hardy, Kinney, and Neely - 9.

Senate Committee Substitute for **H.B. 761**, A BILL TO BE ENTITLED AN ACT TO ALLOW HILLSBOROUGH TO CONTRACT FOR INSPECTION SERVICES.

On motion of Representative Insko, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (106-0), and the bill is ordered enrolled.

Representatives Wright and Yongue state that their voting equipment malfunctioned and they request to be recorded as voting "aye". These requests are granted. The adjusted vote total is (108-0).

Senate Committee Substitute No. 3 for **H.B. 1097**, A BILL TO BE ENTITLED AN ACT TO ENACT THE FISHERIES REFORM ACT OF 1997 TO PROTECT, ENHANCE, AND BETTER MANAGE COASTAL FISHERIES IN NORTH CAROLINA.

Representative Redwine calls the previous question on the motion to concur and the call is sustained by electronic vote (64-43).

The House concurs in the material Senate committee substitute on its third roll call reading, by the following vote, and the bill is ordered enrolled and presented to the Governor by Special Message.

Those voting in the affirmative are: Representatives Alexander, Arnold, Baddour, Baker, Bowie, Brawley, Brown, Buchanan, Cansler, Carpenter, Church, Cole, Crawford, Culp, Culpepper, Daughtry, Dickson, Dockham, Esposito, Gray, Gulley, Hensley, Hill, Holmes, Howard, H. Hunter, R. Hunter, Ives, Jarrell, Jeffus, Luebke, McComas, McCombs, McCrary, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nichols, Owens, Preston, Redwine, Reynolds, Rogers, Russell, Sexton, Sherrill, Shubert, Thompson, Wainwright, C. Wilson, G. Wilson, Wright, and Yongue - 58.

Voting in the negative: Representatives Adams, Allred, Beall, Berry, Black, Blue, Bonner, Boyd-McIntyre, Braswell, Creech, Cunningham, Davis, Decker, Dedmon, Earle, Easterling, Eddins, Fitch, Fox, Gardner, Goodwin, Grady, Hardaway, Hiatt, Hightower, Hurley, Insko, Justus, Kiser, McAllister, Mercer, Moore, Nye, Oldham, Ramsey, Rayfield, Saunders, Smith, Starnes, Sutton, Tallent, Tolson, Warner, Warwick, Watson, Weatherly, Wilkins, Womble, and Wood - 49.

Excused absences: Representatives Aldridge, Capps, Ellis, Gamble, Hackney, Hall, Hardy, Kinney, and Neely - 9.

Representative Clary requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (59-49).

Senate Committee Substitute for **H.B. 847**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN WATER AND SEWER AUTHORITIES TO ENTER INTO CERTAIN AGREEMENTS.

On motion of Representative Culp, the House concurs in the material Senate committee substitute on its second roll call reading, by the following vote, and the bill remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hardaway, Hensley, Hiatt, Hightower, Hill, Holmes, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 103.

Voting in the negative: None.

Excused absences: Representatives Aldridge, Capps, Ellis, Gamble, Hackney, Hall, Hardy, Kinney, and Neely - 9.

Senate Committee Substitute for **H.B. 990**, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN NONPROFIT AND CONSUMER-OWNED WATER OR SEWER UTILITIES FROM REGULATION BY THE UTILITIES COMMISSION.

On motion of Representative Church, the House concurs in the material Senate committee substitute on its second roll call reading, by the following vote, and the bill remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hardaway, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 108.

Voting in the negative: None.

Excused absences: Representatives Aldridge, Capps, Ellis, Gamble, Hackney, Hall, Hardy, Kinney, and Neely - 9.

Senate Committee Substitute No. 2 for **H.B. 1108**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE PERMITS FOR "BREW ON PREMISES" BUSINESSES.

On motion of Representative McMahan, the House does not concur in the Senate committee substitute, by electronic vote (100-7), and conferees are requested.

The Speaker appoints Representative Daughtry, Chair; Representatives Russell, Black, and Decker as conferees on the part of the House and the Senate is so notified by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute No. 3 for **H.B. 502**, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF MOTOR VEHICLE IN THE DEALERS AND MANUFACTURERS LICENSING LAW TO INCLUDE PERSONAL WATERCRAFT AND ALL TERRAIN VEHICLES.

On motion of Representative Morgan and without objection, consideration of the bill is postponed until August 19.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan and without objection, House Committee Substitute No. 2 for **S.B. 826**, A BILL TO BE ENTITLED AN ACT TO PROVIDE "QUICK TAKE" PROCEDURES IN EMINENT DOMAIN PROCEEDINGS BY SCHOOL BOARDS; AND TO CHANGE THE TERM OF OFFICE OF THE CHARLOTTE-MECKLENBURG BOARD OF EDUCATION FROM FOUR YEARS TO TWO YEARS, SUBJECT TO A REFERENDUM, is withdrawn from the Calendar and placed on the Calendar of August 19.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute No. 2 for **S.B. 426**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SPECIAL REGISTRATION LICENSE PLATES ON CERTAIN COMMERCIAL MOTOR VEHICLES, TO PROVIDE SPECIAL REGISTRATION LICENSE PLATES FOR MAGISTRATES, TO ADVANCE THE DATE FOR ISSUANCE OF SPECIAL REGISTRATION LICENSE PLATES FOR SHERIFFS, AND TO PLACE A MORATORIUM ON THE CREATION OF ANY MORE SPECIAL LICENSE PLATES UNTIL THE LEGISLATIVE RESEARCH COMMISSION HAS COMPLETED ITS STUDY OF SPECIAL LICENSE PLATES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Carpenter, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Esposito, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hardaway, Hiatt, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kiser, Luebke, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Nesbitt, Nichols, Nye, Oldham, Owens, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Tallent, Thompson, Tolson, Wainwright, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 98.

Voting in the negative: Representatives Blue, Davis, Fitch, Hensley, Hightower, McAllister, Sutton, and Warner - 8.

Excused absences: Representatives Aldridge, Capps, Ellis, Gamble, Hackney, Hall, Hardy, Kinney, and Neely - 9.

BILL PRESENTED TO THE GOVERNOR

The following bill is duly ratified and presented to the Governor:

H.B. 1097, AN ACT TO ENACT THE FISHERIES REFORM ACT OF 1997 TO PROTECT, ENHANCE, AND BETTER MANAGE COASTAL FISHERIES IN NORTH CAROLINA.

CONFERENCE REPORT

Representative Arnold sends forth the Conference Report on House

Committee Substitute for **S.B. 143**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE SALE OR PURCHASE OF TOBACCO PRODUCTS TO PERSONS LESS THAN EIGHTEEN YEARS OF AGE AND TO REQUIRE THAT CERTAIN PERSONS BE TRAINED REGARDING THESE LAWS. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of August 18.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 273, A BILL TO BE ENTITLED AN ACT PERTAINING TO THE COVERAGE OF POSTMASTECTOMY INPATIENT CARE UNDER HEALTH INSURANCE PLANS.

Representative Insko offers Amendment No. 1 which is adopted by electronic vote (106-0).

The bill, as amended, passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment.

House Committee Substitute No. 3 for **S.B. 561**, A BILL TO BE ENTITLED AN ACT TO REMEDY THE INADVERTENT EXCLUSION OF DULY SWORN AND COMMISSIONED COMPANY POLICE OFFICERS FROM THE CONCEALED HANDGUN STATUTES, TO EXEMPT ACTIVE OR RETIRED COMPANY POLICE OFFICERS FROM THE TRAINING REQUIRED TO QUALIFY FOR A CONCEALED HANDGUN PERMIT IF THE OFFICER APPLIES FOR THE PERMIT WITHIN TWO YEARS OF RETIREMENT, AND TO CLARIFY THE MENTAL HEALTH REQUIREMENTS FOR A CONCEALED HANDGUN PERMIT.

On motion of Representative Justus, and without objection, consideration of the bill is postponed until August 18.

S.B. 713, A BILL TO BE ENTITLED AN ACT TO REPEAL THE AUTHORIZATION OF SUPPLEMENTAL RETIREMENT BENEFITS FOR FIREMEN IN THE CITY OF RALEIGH, passes its second reading, by electronic vote (105-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

House Committee Substitute No. 2 for **S.B. 565**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE APPLICATION OF THE COMMISSIONER OF BANKS' RATE TO VARIABLE RATE LOANS WITH ADJUSTMENT PERIODS GREATER THAN ONE MONTH, TO REPEAL THE LAWS GOVERNING VARIABLE RATE LOANS OF MANUFACTURED HOMES AND INSTALLMENT RATES AND FEES, TO ESTABLISH FINANCE CHARGE RATES FOR CONSUMER CREDIT INSTALLMENT SALES CONTRACTS FOR WATERCRAFTS, AND TO AMEND THE NORTH CAROLINA FINANCIAL PRIVACY ACT TO PERMIT THE DISCLOSURE OF THE NAME, ADDRESS, AND EXISTENCE OF AN ACCOUNT OF ANY CUSTOMER, passes its second reading by electronic vote (75-32).

Representative Michaux objects to the third reading. The bill remains on the Calendar.

House Committee Substitute for **S.B. 757**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH ADVANCE INSTRUCTION FOR MENTAL HEALTH TREATMENT, passes its second reading by electronic vote (98-7).

Representative Decker objects to the third reading. The bill remains on the Calendar.

On motion of the Chair, the House recesses at 12:25 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

Committee Substitute for **S.B. 347**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIRECTOR OF THE BUDGET TO CONTINUE EXPENDITURES FOR THE OPERATION OF GOVERNMENT AT THE LEVEL IN EFFECT ON JUNE 30, 1997, AND TO EXTEND EXPIRING PROVISIONS OF LAW.

On motion of Representative Morgan, Rule 41(a) is suspended and the bill is placed on the Calendar for immediate consideration.

Representative Hensley offers Amendment No. 1.

Representative Nesbitt raises a point of order and inquires if the provisions of G.S. 143-15, the Executive Budget Act, pertain to the amendment. The Chair rules that the money in question is not new appropriations and that the section is in compliance.

Representative Morgan moves, seconded by Representative Dockham, that Amendment No. 1 be tabled. The motion fails by electronic vote (49-51).

Representative Nesbitt inquires of the Chair if the money was appropriated in the 1996-97 budget and whether or not it reverted to the General Fund. The Speaker states that it did not.

On motion of the Chair, the House recesses at 1:54 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

Committee Substitute for **S.B. 347**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIRECTOR OF THE BUDGET TO CONTINUE EXPENDITURES FOR THE OPERATION OF GOVERNMENT AT THE LEVEL IN EFFECT ON JUNE 30, 1997, AND TO EXTEND EXPIRING PROVISIONS OF LAW, with Amendment No. 1 pending, is before the Body.

Amendment No. 1 is adopted by electronic vote (51-48).

On motion of the Chair, the House recesses at 2:40 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

Committee Substitute for **S.B. 347**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIRECTOR OF THE BUDGET TO CONTINUE EXPENDITURES FOR THE OPERATION OF GOVERNMENT AT THE

LEVEL IN EFFECT ON JUNE 30, 1997, AND TO EXTEND EXPIRING PROVISIONS OF LAW, is before the Body.

The bill, as amended, passes its second reading, by electronic vote (101-3), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment by Special Message.

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber

August 14, 1997

Mr. Speaker:

On **H.B. 1231** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SUPPLEMENTAL SOURCES OF REVENUE FOR LOCAL GOVERNMENT TRANSIT FINANCING, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees.

Pursuant to the message that your Honorable Body has adopted the report of the conferees, the Speaker may order the bill enrolled.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

The House having previously adopted the Conference Report, the Speaker orders the bill enrolled and presented to the Governor.

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber

August 14, 1997

Mr. Speaker:

Pursuant to your message received Thursday, August 14, 1997, that the House of Representatives fails to concur in the Senate Committee Substitute bill No. 2 to **H.B. 1108** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ALLOW THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE PERMITS FOR "BREW ON PREMISES" BUSINESSES, which Senate Committee Substitute bill No. 2 proposes to change the title, upon concurrence, to read **H.B. 1108** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ALLOW THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE PERMITS FOR "BREW ON PREMISES" BUSINESSES AND TO CLARIFY THE APPLICABILITY OF CERTAIN REGULATIONS TO SOME SPORTS CLUBS, and requests conferees, the President Pro Tempore appoints:

Senator Odom, Chairman

Senator Rucho

Senator Dannelly

on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,

S/ Janet B. Pruitt

Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber

August 14, 1997

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute bill No. 3 to **S.B. 157** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING DISSENTERS' RIGHTS PROCEDURES AND THE FILING OF DOCUMENTS BY

LIMITED LIABILITY COMPANIES, TO ALLOW FACSIMILE SIGNATURES AND ADVISORY REVIEW OF DOCUMENTS BY THE SECRETARY OF STATE, AND TO CLARIFY CORRECTIONS PROCEDURES, LIMITED LIABILITY NAME AVAILABILITY, AND THE DEFINITION OF FOREIGN PROFESSIONAL CORPORATIONS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, which House Committee Substitute bill No. 3 proposes to change the title, upon concurrence, to read **S.B. 157** (House Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO EXPAND THE TIME CORPORATIONS AND LIMITED LIABILITY COMPANIES MAY APPLY FOR REINSTATEMENT FROM ADMINISTRATIVE DISSOLUTION, TO AMEND THE LAW GOVERNING DISSENTERS' RIGHTS PROCEDURES AND THE FILING OF DOCUMENTS BY LIMITED LIABILITY COMPANIES, TO ALLOW FACSIMILE SIGNATURES AND ADVISORY REVIEW OF DOCUMENTS BY THE SECRETARY OF STATE, AND TO CLARIFY CORRECTIONS PROCEDURES, LIMITED LIABILITY NAME AVAILABILITY, AND THE DEFINITION OF FOREIGN PROFESSIONAL CORPORATIONS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION AND OTHERS, AND TO AUTHORIZE THE CREATION OF SINGLE MEMBER LIMITED LIABILITY COMPANIES, TO ALLOW A PARENT CORPORATION TO BE MERGED INTO ITS SUBSIDIARY CORPORATION IN CERTAIN CIRCUMSTANCES, TO REMOVE THE REQUIREMENT THAT A PUBLIC CORPORATION MUST WAIT THIRTY DAYS BEFORE IT CAN FILE ITS ARTICLES OF MERGER WITH THE SECRETARY OF STATE, TO INCREASE THE FEES FOR THE FILING OF CERTAIN DOCUMENTS, AND TO PROVIDE THAT ANNUAL REPORTS OF MOST BUSINESS CORPORATIONS AND LIMITED LIABILITY COMPANIES SHALL BE FILED WITH THE DEPARTMENT OF REVENUE RATHER THAN THE SECRETARY OF STATE, and requests conferees. The President Pro Tempore appoints:

Senator Hartsell, Chairman

Senator Soles

Senator Kerr

on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE**1997 GENERAL ASSEMBLY**

Senate Chamber

August 14, 1997

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute bill to **S.B. 727** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE COMMITTEE ON APPROPRIATIONS BY ESTABLISHING THE PERCENTAGE RATES FOR THE INSURANCE REGULATORY CHARGE AND THE PUBLIC UTILITY REGULATORY FEE, BY CLARIFYING THE BASIS OF THE PREMIUM TAX LIABILITY ON WHICH THE INSURANCE REGULATORY CHARGE IS LEVIED, BY INCREASING COURT FEES IN CRIMINAL CASES, AND BY INCREASING THE FEES FOR FILING CERTAIN DOCUMENTS, which House Committee Substitute bill proposes to change the title, upon concurrence, to read **S.B. 727** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REDUCE THE STATE SALES TAX ON FOOD BY AN ADDITIONAL ONE CENT EFFECTIVE JANUARY 1, 1998, TO ESTABLISH THE PERCENTAGE RATES FOR THE INSURANCE REGULATORY CHARGE AND THE PUBLIC UTILITY REGULATORY FEE, TO CLARIFY THE BASIS OF THE PREMIUM TAX LIABILITY ON WHICH THE INSURANCE REGULATORY CHARGE IS LEVIED, TO INCREASE COURT FEES IN CRIMINAL CASES, TO INCREASE THE FEES FOR FILING CERTAIN DOCUMENTS, AND TO PROVIDE THAT ANNUAL REPORTS OF MOST BUSINESS CORPORATIONS SHALL BE FILED WITH THE DEPARTMENT OF REVENUE RATHER THAN THE SECRETARY OF STATE, and requests conferees. The President Pro Tempore appoints:

Senator Kerr, Chairman

Senator Hoyle

Senator Perdue

Senator Plyler

Senator Miller

Senator Odom

Senator Shaw of Guilford

on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

S.B. 660, AN ACT TO LICENSE ATHLETIC TRAINERS.
(S.L. 1997-387)

H.B. 611, AN ACT TO INCREASE THE COMPENSATION PROVIDED TO PERSONS ERRONEOUSLY CONVICTED OF FELONIES WHO HAVE RECEIVED PARDONS OF INNOCENCE, TO EXEMPT THE COMPENSATION FROM STATE INCOME TAX, AND TO PROVIDE FOR THE INDUSTRIAL COMMISSION TO HANDLE THE CLAIMS OF THOSE PERSONS. (S.L. 1997-388)

H.B. 866, AN ACT TO PROVIDE THAT FIVE MEMBERS OF THE MOORE COUNTY BOARD OF EDUCATION BE ELECTED FROM THE SAME DISTRICTS AS ARE THE MEMBERS OF THE BOARD OF COMMISSIONERS AND THE REMAINING THREE MEMBERS OF THE MOORE COUNTY BOARD OF EDUCATION BE ELECTED AT LARGE, SUBJECT TO A REFERENDUM, AND TO PROVIDE FOR PARTISAN ELECTIONS, SUBJECT TO A REFERENDUM, AND TO EXPAND THE CARTERET COUNTY BOARD OF EDUCATION FROM FIVE TO SEVEN MEMBERS, AND TO PROVIDE THAT THEIR DISTRICTS ARE THE SAME AS FOR THE BOARD OF COMMISSIONERS. (S.L. 1997-389)

H.B. 896, AN ACT TO AMEND THE LAW PERTAINING TO THE CUSTODY AND PLACEMENT OF JUVENILES TO ENHANCE THE STATE'S ABILITY TO ENSURE THAT JUVENILES ARE PLACED IN A SAFE, PERMANENT HOME WITHIN A REASONABLE PERIOD OF TIME, TO AUTHORIZE THE DEPARTMENT OF HUMAN RESOURCES TO ASSUME CONTROL OF DELIVERY OF COUNTY CHILD WELFARE SERVICES UNDER CERTAIN CIRCUMSTANCES, AND TO ESTABLISH THE LEGISLATIVE STUDY COMMISSION ON CHILDREN AND YOUTH. (S.L. 1997-390)

**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representatives Howard and Aldridge, Co-Chairs, for the Committee on Human Resources:

S.B. 929, A BILL TO BE ENTITLED AN ACT TO ENHANCE AND IMPROVE CHILD CARE IN NORTH CAROLINA, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

S.B. 962, A BILL TO BE ENTITLED AN ACT TO AMEND THE MENTAL HEALTH COMMITMENT LAW TO PROVIDE FOR VOLUNTARY COMMITMENT OF MOTHERS WHO ARE SUBSTANCE ABUSERS AND THEIR CHILDREN UNDER AGE THREE, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Allred for the Committee on Ways and Means:

S.B. 343, A BILL TO BE ENTITLED AN ACT RELATING TO THE DUTIES OF COMMISSIONERS OF THE MID-EAST REGIONAL HOUSING AUTHORITY UNDER THE PROVISIONS OF ARTICLE 1 OF CHAPTER 157 OF THE GENERAL STATUTES, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

The House committee substitute changes the bill from local to public.

On motion of the Chair, the House recesses at 6:20 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

BILL PRESENTED TO THE GOVERNOR

The following bill is duly ratified and presented to the Governor:

S.B. 347, AN ACT TO AUTHORIZE THE DIRECTOR OF THE BUDGET TO CONTINUE EXPENDITURES FOR THE OPERATION OF GOVERNMENT AT THE LEVEL IN EFFECT ON JUNE 30, 1997, AND TO EXTEND EXPIRING PROVISIONS OF LAW.

PERMISSION GRANTED

Pursuant to Rule 28(e), the Speaker grants permission for members of conference committees to meet when the House is not in session.

On motion of Representative Morgan, seconded by Representative Moore, the House adjourns at 6:30 p.m. to reconvene Monday, August 18, 1997, at 4:00 p.m.

ONE HUNDRED FIFTEENTH DAY**HOUSE OF REPRESENTATIVES**

Monday, August 18, 1997

The House meets at 4:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain.

"Most Merciful God, all that we are and all that we have is a gift from You. The very breath that we breathe, that simple involuntary exercise which sustains our lives but which we all too often take for granted, is but a sampling of the multitude of gifts that comes from Thy loving kindness. Thus, O God, the gift of our lives offers each one of us the opportunity to respond to Your grace with integrity and dignity.

"Omniscient God, You alone see and know what occupies the motivation of our hearts. You know what is right and good. And, You know what is ugly and filthy. Give to us, perhaps now more than ever, the conviction of heart to seek that which is holy and right and good and pleasing to Thee. May each one of us take immediate inventory, even in this very moment, to ponder on what rests deeply within our hearts and souls. This week will offer to all of us the opportunity to respond with faithful integrity, or to respond to something completely different, distant, and foreign to You. May all who have been given ears to hear...listen and heed Your voice. Lord, in Your mercy...Hear our prayer. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of August 14 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (83-1).

Leaves of absence are granted Representatives Cansler, Creech, Cunningham, Ellis, Holmes, R. Hunter, McMahan, and Wood for today. Representatives Esposito, Hardaway, Wainwright, Warner, and Wright are excused for a portion of the session.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

S.B. 713, AN ACT TO REPEAL THE AUTHORIZATION OF SUPPLEMENTAL RETIREMENT BENEFITS FOR FIREMEN IN THE CITY OF RALEIGH.

H.B. 949, AN ACT TO IMPROVE CHILD PROTECTION BY ALLOWING DISCLOSURE OF CERTAIN RECORDS.

H.B. 1231, AN ACT TO AUTHORIZE SUPPLEMENTAL SOURCES OF REVENUE FOR LOCAL GOVERNMENT TRANSIT FINANCING.

ENROLLED BILL

The following bill is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 761, AN ACT PERTAINING TO LOCAL LAWS IN ORANGE COUNTY.

CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

S.B. 312, AN ACT TO REGULATE CHECK-CASHING BUSINESSES.
(S.L. 1997-391)

H.B. 225, AN ACT TO PROVIDE FOR CLEANUP OF DRY-CLEANING SOLVENT CONTAMINATION IN NORTH CAROLINA, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.
(S.L. 1997-392)

H.B. 993, AN ACT TO ALLOW CREATION OF ADDITIONAL REGIONAL TRANSPORTATION AUTHORITIES. (S.L. 1997-393)

S.B. 125, AN ACT TO AUTHORIZE THE SECRETARY OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO ENCOURAGE THE REDEVELOPMENT OF BROWNFIELDS BY APPROVING THE IMPOSITION OF RESTRICTIONS ON INACTIVE HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITES AND ON OIL OR HAZARDOUS SUBSTANCE DISCHARGES OR RELEASES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION. (S.L. 1997-394)

H.B. 651, AN ACT TO ALLOW THE ISSUANCE OF CERTAIN ALCOHOLIC BEVERAGE CONTROL PERMITS IN INTERSTATE ECONOMIC DEVELOPMENT ZONES. (S.L. 1997-395)

H.B. 1052, AN ACT TO ALLOW INSURERS TO LIMIT OR EXCLUDE EXCESS LIABILITY COVERAGE FOR UNINSURED AND UNDERINSURED MOTORISTS AS PROVIDED BY LAW AND TO ALLOW INJURED PARTIES TO EXECUTE COVENANTS NOT TO ENFORCE JUDGMENT AS CONSIDERATION FOR PAYMENT OF THE APPLICABLE LIMITS OF LIABILITY BY THE INSURER. (S.L. 1997-396)

S.B. 847, AN ACT TO EXEMPT FROM SALES AND USE TAX REUSABLE INDUSTRIAL CONTAINERS USED AS PACKAGING FOR TANGIBLE PERSONAL PROPERTY. (S.L. 1997-397)

S.B. 974, AN ACT TO AUTHORIZE THE EMPLOYMENT SECURITY COMMISSION TO WAIVE INTEREST ON LATE CONTRIBUTIONS, TO MODIFY THE CALCULATION AND COLLECTION OF UNEMPLOYMENT INSURANCE TAXES, AND TO GIVE FLEXIBILITY TO THE EMPLOYMENT SECURITY COMMISSION IN SCHEDULING WHEN CLAIMANTS MUST REPORT TO THE LOCAL COMMISSION OFFICES. (S.L. 1997-398)

H.B. 485, AN ACT TO AMEND VARIOUS STATUTES RELATING TO THE PRACTICE OF FUNERAL SERVICE, CREMATIONS, AND FUNERAL AND BURIAL TRUST FUNDS. (S.L. 1997-399)

H.B. 1097, AN ACT TO ENACT THE FISHERIES REFORM ACT OF 1997 TO PROTECT, ENHANCE, AND BETTER MANAGE COASTAL FISHERIES IN NORTH CAROLINA. (S.L. 1997-400)

S.B. 347, AN ACT TO AUTHORIZE THE DIRECTOR OF THE BUDGET TO CONTINUE EXPENDITURES FOR THE OPERATION OF GOVERNMENT AT THE LEVEL IN EFFECT ON JUNE 30, 1997, AND TO EXTEND EXPIRING PROVISIONS OF LAW. (S.L. 1997-401)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

Committee Substitute for **S.B. 360,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEE PAID TO AGENTS OF THE WILDLIFE RESOURCES COMMISSION TO AWARD CERTIFICATES OF BOAT NUMBER OR OTHER VESSEL TRANSACTION AND TO AMEND THE DUTIES OF THE WILDLIFE RESOURCES COMMISSION WITH REGARD TO THE APPOINTMENT OF AGENTS FOR THE ISSUANCE OF BOAT NUMBERS, TO RAISE THE REPORTING REQUIREMENT FOR BOATING ACCIDENTS TO DAMAGES IN EXCESS OF FIVE HUNDRED DOLLARS, AND TO REPEAL THE LAW REQUIRING PERMITS FROM THE WILDLIFE RESOURCES COMMISSION TO HOLD REGATTAS AND OTHER EVENTS, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

By Representative Dockham for the Committee on Insurance:

H.B. 435, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES IN THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 843**, A BILL TO BE ENTITLED AN ACT TO REPEAL OBSOLETE LAWS AND MAKE TECHNICAL AND CLARIFYING AMENDMENTS AND CORRECTIONS IN VARIOUS INSURANCE STATUTES; AND TO EXTEND THE EXPIRATION DATE OF THE 1986 RISK SHARING PLAN LAW, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 431**, A BILL TO BE ENTITLED AN ACT TO PERMIT THE GARNISHMENT OF WAGES TO RECOUP FRAUDULENT OR ERRONEOUS PUBLIC ASSISTANCE PROGRAM PAYMENTS, TO PROVIDE INVESTIGATORY SUBPOENA POWER TO COUNTY DEPARTMENTS OF SOCIAL SERVICES AND THE DEPARTMENT OF HUMAN RESOURCES, AND TO CREATE AN OFFENSE FOR ILLEGAL POSSESSION OR USE OF FOOD STAMPS, is returned for concurrence in Senate committee substitute and placed on the Calendar of August 19.

Upon concurrence, the Senate committee substitute changes the title.

Committee Substitute No. 2 for **S.B. 39**, A BILL TO BE ENTITLED AN ACT TO REVISE THE SETOFF DEBT COLLECTION ACT, is read the first time and referred to the Committee on Finance.

Committee Substitute for **S.B. 696**, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF GRANTSBORO AND

CONCERNING A SATELLITE ANNEXATION BY THE TOWN OF BEAUFORT, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

CONFEREES APPOINTED

The Speaker announces the following conferees on House Committee Substitute for **S.B. 727**, A BILL TO BE ENTITLED AN ACT TO REDUCE THE STATE SALES TAX ON FOOD BY AN ADDITIONAL ONE CENT EFFECTIVE JANUARY 1, 1998, TO ESTABLISH THE PERCENTAGE RATES FOR THE INSURANCE REGULATORY CHARGE AND THE PUBLIC UTILITY REGULATORY FEE, TO CLARIFY THE BASIS OF THE PREMIUM TAX LIABILITY ON WHICH THE INSURANCE REGULATORY CHARGE IS LEVIED, TO INCREASE COURT FEES IN CRIMINAL CASES, TO INCREASE THE FEES FOR FILING CERTAIN DOCUMENTS, AND TO PROVIDE THAT ANNUAL REPORTS OF MOST BUSINESS CORPORATIONS SHALL BE FILED WITH THE DEPARTMENT OF REVENUE RATHER THAN THE SECRETARY OF STATE: Representative Gray, Chair; Representatives Rayfield, C. Wilson, and Church.

The Senate is so notified by Special Message.

The Speaker announces the following conferees on House Committee Substitute No. 3 for **S.B. 157**, A BILL TO BE ENTITLED AN ACT TO EXPAND THE TIME CORPORATIONS AND LIMITED LIABILITY COMPANIES MAY APPLY FOR REINSTATEMENT FROM ADMINISTRATIVE DISSOLUTION, TO AMEND THE LAW GOVERNING DISSENTERS' RIGHTS PROCEDURES AND THE FILING OF DOCUMENTS BY LIMITED LIABILITY COMPANIES, TO ALLOW FACSIMILE SIGNATURES AND ADVISORY REVIEW OF DOCUMENTS BY THE SECRETARY OF STATE, AND TO CLARIFY CORRECTIONS PROCEDURES, LIMITED LIABILITY NAME AVAILABILITY, AND THE DEFINITION OF FOREIGN PROFESSIONAL CORPORATIONS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION AND OTHERS, AND TO AUTHORIZE THE CREATION OF SINGLE MEMBER LIMITED LIABILITY COMPANIES, TO ALLOW A PARENT CORPORATION TO BE MERGED INTO ITS SUBSIDIARY CORPORATION IN CERTAIN CIRCUMSTANCES, TO REMOVE THE REQUIREMENT THAT A PUBLIC CORPORATION MUST WAIT THIRTY DAYS BEFORE IT CAN FILE ITS ARTICLES OF MERGER WITH THE SECRETARY OF STATE, TO INCREASE THE FEES FOR THE FILING OF CERTAIN DOCUMENTS, AND TO PROVIDE THAT

ANNUAL REPORTS OF MOST BUSINESS CORPORATIONS AND LIMITED LIABILITY COMPANIES SHALL BE FILED WITH THE DEPARTMENT OF REVENUE RATHER THAN THE SECRETARY OF STATE: Representative Daughtry, Chair; Representatives Dickson, Neely, Hardy, and Baddour.

The Senate is so notified by Special Message.

CONFERENCE REPORT

Representative Arnold moves the adoption of the following Conference Report.

House Committee Substitute for S.B. 143

To: The President of the Senate

The Speaker of the House of Representatives

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 143, AN ACT TO PROHIBIT THE SALE OR PURCHASE OF TOBACCO PRODUCTS TO PERSONS LESS THAN EIGHTEEN YEARS OF AGE AND TO REQUIRE THAT CERTAIN PERSONS BE TRAINED REGARDING THESE LAWS, House Committee Substitute Favorable 6/26/97, Fifth Edition Engrossed 7/2/97, submit the following report:

The Senate and House agree to the following amendment to the House Committee Substitute Favorable 6/26/97, Fifth Edition Engrossed 7/2/97, and the Senate concurs in the House Committee Substitute Favorable 6/26/97, Fifth Edition Engrossed 7/2/97, as amended:

Delete the entire House Committee Substitute Favorable 6/26/97, Fifth Edition Engrossed 7/2/97, and substitute the attached Proposed Conference Committee Substitute S143-PCCS2806.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: August 14, 1997.

*Conferees for the
Senate*

*Conferees for the
House of Representatives*

S/ Anthony E. Rand, Chairman
S/ Walter H. Dalton
S/ James S. Forrester
S/ Jeanne H. Lucas
S/ Robert A. Rucho

S/ Gene G. Arnold, Chair
S/ Lanier M. Cansler
S/ Milton F. Fitch, Jr.
S/ Dewey L. Hill

The Conference Report, which changes the title, is adopted, by electronic vote (84-1), and the Senate is so notified by Special Message. (The Conference Committee Substitute may be found in its entirety in the Appendix.)

Representative Crawford requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (85-1).

(It should be noted that any apparent errors in the foregoing Conference Report were as the report was submitted.)

CALENDAR

Action is taken on the following:

Committee Substitute No. 2 for **H.B. 631**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE FORMULA FOR DISTRIBUTING THE PROCEEDS OF THE FORSYTH COUNTY OCCUPANCY TAXES.

The House concurs in material Senate Amendment No. 2 on its third roll call reading, by the following vote, and the bill is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baker, Barbee, Beall, Black, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Capps, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Easterling, Eddins, Esposito, Fox, Gamble, Grady, Gulley, Hall, Hardy, Hensley, Hiatt, Hightower, Hill, Howard, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McComas, McCombs, McCrary, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nichols, Nye, Oldham, Owens, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, and Yongue - 90.

Voting in the negative: Representatives Blue and Warwick - 2.

Excused absences: Representatives Cansler, Creech, Cunningham, Ellis, Hardaway, Holmes, R. Hunter, McMahan, Wainwright, Warner, Wood, and Wright - 12.

Senate Committee Substitute for **H.B. 99**, A BILL TO BE ENTITLED AN ACT TO ALLOW CAMDEN COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS COUNTY BOARD OF EDUCATION.

On motion of Representative Owens, the House concurs in the material Senate committee substitute on its second roll call reading, by the following vote, and the bill remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baker, Barbee, Beall, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Daughtry, Decker, Dedmon, Dickson, Dockham, Easterling, Eddins, Esposito, Fox, Gamble, Grady, Gray, Gulley, Hall, Hardy, Hensley, Hiatt, Hightower, Hill, Howard, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McComas, McCombs, McCrary, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nichols, Nye, Oldham, Owens, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Sutton, Tallent, Thompson, Tolson, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, and Yongue - 92.

Voting in the negative: Representatives Capps and Davis - 2.

Excused absences: Representatives Cansler, Creech, Cunningham, Ellis, Hardaway, Holmes, R. Hunter, McMahan, Wainwright, Warner, Wood, and Wright - 12.

Senate Committee Substitute for **H.B. 418**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF MOUNT AIRY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, TO MODIFY THE DISTRIBUTION OF THE AVERY COUNTY OCCUPANCY TAX AND TO REQUIRE PAYMENT OF DELINQUENT TAXES FOR THE TOWNS OF NEWLAND AND SPRUCE PINE AND FOR THE COUNTY OF ALLEGHANY BEFORE RECORDING DEEDS CONVEYING PROPERTY SUBJECT TO THE DELINQUENT TAXES, AND TO VALIDATE BUDGET PROCEDURES OF THE TOWN OF NORWOOD IN STANLY COUNTY.

On motion of Representative Thompson, the House concurs in the material Senate committee substitute on its second roll call reading, by the following vote, and the bill remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Arnold, Barbee, Beall, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brown, Buchanan, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Daughtry, Decker, Dedmon, Dickson, Dockham, Easterling, Esposito, Fox, Gamble, Grady, Gulley, Hall, Hensley, Hiatt, Hightower, Hill, Howard, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McComas, McCombs, McCrary, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Mosley, Neely, Nichols, Nye, Oldham, Owens, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Sutton, Tallent, Thompson, Tolson, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, and Yongue - 85.

Voting in the negative: Representatives Allred, Baker, Brawley, Capps, Davis, Eddins, Hardy, and Morris - 8.

Excused absences: Representatives Cansler, Creech, Cunningham, Ellis, Hardaway, Holmes, R. Hunter, McMahan, Wainwright, Warner, Wood, and Wright - 12.

Committee Substitute for **H.B. 437**, A BILL TO BE ENTITLED AN ACT CHANGING THE METHOD FOR APPOINTMENT OF MEMBERS OF THE PILOT MOUNTAIN CIVIC AND RECREATION CENTER AUTHORITY.

On motion of Representative Hiatt, the House does not concur in the Senate amendment, by electronic vote (91-4), and conferees are requested.

The Speaker appoints Representative Hiatt, Chair; Representatives Baker, G. Wilson, and Hill as conferees on the part of the House and the Senate is so notified by Special Message.

Senate Committee Substitute for **H.B. 847**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN WATER AND SEWER AUTHORITIES TO ENTER INTO CERTAIN AGREEMENTS.

The House concurs in the material Senate committee substitute, which changes the title, on its third roll call reading, by the following vote, and the bill is ordered enrolled and presented to the Governor.

Those voting in the affirmative are: Representatives Adams, Alexander, Arnold, Baddour, Baker, Barbee, Beall, Black, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Capps, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Easterling, Eddins, Esposito, Fox, Gamble, Grady, Gray, Gulley, Hardy, Hiatt, Hill, Howard, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McComas, McCombs, McCrary, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Sutton, Tallent, Thompson, Tolson, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, and Yongue - 91.

Voting in the negative: Representatives Allred, Blue, Hensley, and Hightower - 4.

Excused absences: Representatives Cansler, Creech, Cunningham, Ellis, Hardaway, Holmes, R. Hunter, McMahan, Wainwright, Warner, Wood, and Wright - 12.

Senate Committee Substitute for **H.B. 990**, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN NONPROFIT AND CONSUMER-OWNED WATER OR SEWER UTILITIES FROM REGULATION BY THE UTILITIES COMMISSION.

The House concurs in the material Senate committee substitute, which changes the title, on its third roll call reading, by the following vote, and the bill is ordered enrolled and presented to the Governor.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Black, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Capps, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Easterling, Eddins, Esposito, Fox, Gamble, Grady, Gray, Gulley, Hall, Hardy, Hiatt, Hightower, Hill, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McComas, McCombs, McCrary, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Neely, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Sutton, Tallent, Thompson, Tolson, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, and Yongue - 92.

Voting in the negative: Representatives Blue, Hensley, and Mosley - 3.

Excused absences: Representatives Cansler, Creech, Cunningham, Ellis, Hardaway, Holmes, R. Hunter, McMahan, Wainwright, Warner, Wood, and Wright - 12.

Senate Committee Substitute for **H.B. 183**, A BILL TO BE ENTITLED AN ACT TO INCLUDE PRIOR IMPAIRED DRIVING CONVICTIONS IN FELONY PRIOR RECORD LEVEL CALCULATION, TO PROVIDE FOR AN INDEFINITE CIVIL SUSPENSION OF A DRIVERS LICENSE WHEN A DRIVER IS CHARGED WITH AN IMPAIRED DRIVING OFFENSE WHILE ANOTHER IMPAIRED DRIVING OFFENSE IS PENDING DISPOSITION, AND TO ALLOW FOR MODIFICATION OF SENTENCE FOR IMPAIRED DRIVING ON REMAND TO DISTRICT COURT OR WITHDRAWAL OF APPEAL.

On motion of Representative Bowie, the House does not concur in the Senate committee substitute, by electronic vote (97-1), and conferees are requested.

Representative Smith requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (98-0).

The Speaker appoints Representative Bowie, Chair; Representatives McComas, Neely, and Oldham as conferees on the part of the House and the Senate is so notified by Special Message.

Senate Committee Substitute for **H.B. 301**, A BILL TO BE ENTITLED AN ACT TO AMEND THE GENERAL STATUTES PERTAINING TO CHILD SUPPORT ENFORCEMENT IN ORDER TO ENHANCE CHILD SUPPORT ENFORCEMENT AND PATERNITY ESTABLISHMENT IN CONFORMANCE WITH FEDERAL WELFARE REFORM REQUIREMENTS.

On motion of Representative Culpepper and without objection, consideration of the bill is postponed until August 19.

Senate Committee Substitute for **H.B. 1115**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE CANCELLATION OF INSURANCE POLICIES THAT PROVIDE COVERAGE FOR CHURCHES FOR LOSSES RESULTING FROM A FIRE.

On motion of Representative Boyd-McIntyre, the House concurs in the Senate committee substitute, by electronic vote (98-1), and the bill is ordered enrolled and presented to the Governor.

Representative Wright requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (99-1).

Senate Committee Substitute for **H.B. 1157**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE STATUTES OF LIMITATIONS FOR TAX REFUNDS, TO CLARIFY THE CORPORATE INCOME TAX ON CERTAIN TAX-EXEMPT OBLIGATIONS, AND TO DELETE THE CAP ON CORPORATE INCOME TAX DEDUCTIONS OF DIVIDENDS RECEIVED FROM REGULATED INVESTMENT COMPANIES.

On motion of Representative Morris, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (96-1), and the bill is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 684**, A BILL TO BE ENTITLED AN ACT AMENDING THE DURHAM CITY CHARTER TO RENAME THE SUBDIVISION REVIEW BOARD AND INCREASING THE NUMBER OF PERSONS WHO MAY SERVE ON THAT BOARD, TO ALLOW DURHAM COUNTY TO ADOPT A FAIR HOUSING ORDINANCE, AND PROVIDING THAT THE INITIAL ELECTION OF THE ALAMANCE-BURLINGTON BOARD OF EDUCATION SHALL BE HELD IN 1997, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

House Committee Substitute No. 2 for **S.B. 426**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SPECIAL REGISTRATION LICENSE PLATES ON CERTAIN COMMERCIAL MOTOR VEHICLES, TO PROVIDE SPECIAL REGISTRATION LICENSE PLATES FOR MAGISTRATES, TO ADVANCE THE DATE FOR ISSUANCE OF SPECIAL REGISTRATION LICENSE PLATES FOR SHERIFFS, AND TO PLACE A MORATORIUM ON THE CREATION OF ANY MORE SPECIAL LICENSE PLATES UNTIL THE LEGISLATIVE RESEARCH COMMISSION HAS COMPLETED ITS STUDY OF SPECIAL LICENSE PLATES, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House Committee Substitute No. 2 by Special Message.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Berry, Black, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Capps, Church, Clary, Cole, Crawford, Culp, Culpepper, Daughtry, Decker, Dedmon, Dickson, Dockham, Easterling, Eddins, Esposito, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hall, Hardaway, Hardy, Hiatt, Hightower, Hill, Howard, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nichols, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Sutton, Tallent, Thompson, Tolson, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 97.

Voting in the negative: Representatives Blue, Davis, and Hensley - 3.

Excused absences: Representatives Cansler, Creech, Cunningham, Ellis, Hackney, Holmes, R. Hunter, McMahan, Wainwright, and Wood - 10.

House Committee Substitute No. 2 for **S.B. 565**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE APPLICATION OF THE COMMISSIONER OF BANKS' RATE TO VARIABLE RATE LOANS WITH ADJUSTMENT PERIODS GREATER THAN ONE MONTH, TO REPEAL THE LAWS GOVERNING VARIABLE RATE LOANS OF MANUFACTURED HOMES AND INSTALLMENT RATES AND FEES, TO ESTABLISH FINANCE CHARGE RATES FOR CONSUMER CREDIT INSTALLMENT SALES CONTRACTS FOR WATERCRAFTS, AND TO AMEND THE NORTH CAROLINA FINANCIAL PRIVACY ACT TO PERMIT THE DISCLOSURE OF THE NAME, ADDRESS, AND EXISTENCE OF AN ACCOUNT OF ANY CUSTOMER.

Representative Hall requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

The bill passes its third reading, by electronic vote (95-7), and is ordered sent to the Senate for concurrence in House Committee Substitute No. 2 by Special Message.

House Committee Substitute for **S.B. 757**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH ADVANCE INSTRUCTION FOR MENTAL HEALTH TREATMENT.

Representative Ives offers Amendment No. 1 which is adopted by electronic vote (103-0).

The bill, as amended, passes its third reading, by electronic vote (106-0), and is ordered engrossed and sent to the Senate for concurrence in House committee substitute by Special Message.

House Committee Substitute No. 3 for **S.B. 561**, A BILL TO BE ENTITLED AN ACT TO REMEDY THE INADVERTENT EXCLUSION OF DULY SWORN AND COMMISSIONED COMPANY POLICE OFFICERS FROM THE CONCEALED HANDGUN STATUTES, TO EXEMPT ACTIVE OR RETIRED COMPANY POLICE OFFICERS FROM THE TRAINING REQUIRED TO QUALIFY FOR A CONCEALED HANDGUN PERMIT IF THE OFFICER APPLIES FOR THE PERMIT WITHIN TWO YEARS OF RETIREMENT, AND TO CLARIFY THE MENTAL HEALTH REQUIREMENTS FOR A CONCEALED HANDGUN PERMIT, passes its second reading, by electronic vote (102-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House Committee Substitute No. 3 by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 842**, A BILL TO BE ENTITLED AN ACT TO EXEMPT PERSONS PERFORMING CERTAIN ALTERATIONS, REMODELING, AND RENOVATIONS OF EXISTING BUILDINGS OR STRUCTURES FROM THE ARCHITECTURAL LICENSURE REQUIREMENTS, passes its second reading, by electronic vote (103-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 973**, A BILL TO BE ENTITLED AN ACT TO REQUIRE HEALTH BENEFIT PLANS TO PROVIDE CERTAIN INFORMATION.

On motion of Representative Bowie, consideration of the bill is postponed until August 19.

House Committee Substitute for **S.B. 441**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE AMOUNT ALLOCATED TO SHERIFFS

FROM THE FEES CHARGED FOR CONCEALED HANDGUN APPLICATIONS AND RENEWALS.

On motion of the Chair, the bill is temporarily displaced.

RE-REFERRAL

On motion of Representative Miner and without objection, **S.B. 483, A BILL TO BE ENTITLED AN ACT TO INCREASE THE AMOUNT PAID TO PHYSICIANS TO READ X-RAY FILMS FOR THE DUSTY TRADES PROGRAM**, is withdrawn from the Committee on Commerce and re-referred to the Committee on Finance.

Representative Morgan moves, seconded by Representative Thompson, that the House adjourn, subject to the receipt of Conference Reports, to reconvene August 19 at 10:00 a.m.

The motion carries.

CONFERENCE REPORT

Representative Gray sends forth the Conference Report on House Committee Substitute for **S.B. 727, A BILL TO BE ENTITLED AN ACT TO REDUCE THE STATE SALES TAX ON FOOD BY AN ADDITIONAL ONE CENT EFFECTIVE JANUARY 1, 1998, TO ESTABLISH THE PERCENTAGE RATES FOR THE INSURANCE REGULATORY CHARGE AND THE PUBLIC UTILITY REGULATORY FEE, TO CLARIFY THE BASIS OF THE PREMIUM TAX LIABILITY ON WHICH THE INSURANCE REGULATORY CHARGE IS LEVIED, TO INCREASE COURT FEES IN CRIMINAL CASES, TO INCREASE THE FEES FOR FILING CERTAIN DOCUMENTS, AND TO PROVIDE THAT ANNUAL REPORTS OF MOST BUSINESS CORPORATIONS SHALL BE FILED WITH THE DEPARTMENT OF REVENUE RATHER THAN THE SECRETARY OF STATE.** Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of August 19.

The Conference Report, which changes the title, is ruled to be material, thus constituting its first reading.

The House stands adjourned at 7:10 p.m.

ONE HUNDRED SIXTEENTH DAY

HOUSE OF REPRESENTATIVES

Tuesday, August 19, 1997

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain.

"Eternal God, Giver of all perfect wisdom and discernment, we need Your gift of vision, and understanding, and respect. We stand in the need of the kind of help and assistance that only You, as God, can provide. Oh, we try to handle everything on our own, all right. But, inevitably, that is what continually gets and keeps us in trouble and ultimately from accomplishing our goals. Come to us like a mighty rushing wind and knock us off our false foundations and restore unto us the foundations of heaven so that we might complete what we have been empowered to accomplish. And, allow us to do it in such a fashion that is pleasing and acceptable in Your sight. In the name of the one who was, and is, and is to come. Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of August 18 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (93-0).

Leaves of absence are granted Representatives Dockham, McMahan, and Wood for today. Representative Mosley is excused for a portion of the session.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

S.B. 143, AN ACT TO AMEND THE LAWS PROHIBITING THE SALE OR PURCHASE OF TOBACCO PRODUCTS TO PERSONS LESS THAN EIGHTEEN YEARS OF AGE AND TO REQUIRE THAT CERTAIN PERSONS BE TRAINED REGARDING THESE LAWS.

S.B. 897, AN ACT TO MAKE TECHNICAL AMENDMENTS TO THE ELECTRONIC SURVEILLANCE LAW.

H.B. 847, AN ACT TO AUTHORIZE CERTAIN WATER AND SEWER AUTHORITIES TO ENTER INTO CERTAIN AGREEMENTS AND TO AUTHORIZE A WATER AND SEWER AUTHORITY HOLDING A CERTIFICATE UNDER G.S. 162A-7 TO EXERCISE THE POWER OF EMINENT DOMAIN FOR SPECIFIED PURPOSES.

H.B. 990, AN ACT TO EXEMPT CERTAIN NONPROFIT AND CONSUMER-OWNED WATER OR SEWER UTILITIES AND CERTAIN SMALL WATER OR SEWER UTILITIES FROM REGULATION BY THE UTILITIES COMMISSION.

H.B. 1115, AN ACT TO PROHIBIT THE CANCELLATION OF INSURANCE POLICIES THAT PROVIDE COVERAGE FOR CHURCHES FOR LOSSES RESULTING FROM A FIRE.

H.B. 1157, AN ACT TO CLARIFY THE CORPORATE INCOME TAX ON CERTAIN TAX-EXEMPT OBLIGATIONS, TO DELETE THE CAP ON CORPORATE INCOME TAX DEDUCTIONS OF DIVIDENDS RECEIVED FROM REGULATED INVESTMENT COMPANIES, AND TO ALLOW THE DEPARTMENT OF REVENUE TO DEDUCT ITS COST OF ADMINISTERING THE DISTRIBUTION OF GROSS RECEIPTS TO CITIES.

ENROLLED BILL

The following bill is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 631, AN ACT TO MODIFY THE FORMULA FOR DISTRIBUTING THE PROCEEDS OF THE FORSYTH COUNTY OCCUPANCY TAXES.

CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

H.B. 302, AN ACT TO ESTABLISH A PROCEDURE TO AUTHORIZE THE TAKING OF CERTAIN WILDLIFE IN COUNTIES OR DISTRICTS WHERE AN OUTBREAK OF RABIES HAS OCCURRED. (S.L. 1997-402)

S.B. 182, AN ACT TO ALLOW THE WILDLIFE RESOURCES COMMISSION TO ADOPT CERTAIN TEMPORARY RULES. (S.L. 1997-403)

S.B. 382, AN ACT REDEFINING THE BASE PERIOD FOR UNEMPLOYMENT BENEFITS AND ELIMINATING THE ONE AND ONE-HALF TIMES TEST. (S.L. 1997-404)

S.B. 60, AN ACT TO CLARIFY THE RULES FOR MAKING LEFT TURNS ON VARIOUS ROADWAYS. (S.L. 1997-405)

H.B. 1110, AN ACT AMENDING THE STATUTES RELATED TO LANDSCAPE ARCHITECTS. (S.L. 1997-406)

H.B. 761, AN ACT PERTAINING TO LOCAL LAWS IN ORANGE COUNTY. (S.L. 1997-407)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Committee on Finance:

Committee Substitute for **S.B. 39**, A BILL TO BE ENTITLED AN ACT TO REVISE THE SETOFF DEBT COLLECTION ACT, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **S.B. 516**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A STATE-ADMINISTERED LEAD-BASED PAINT HAZARD MANAGEMENT PROGRAM IN LIEU OF HAVING A FEDERALLY ADMINISTERED PROGRAM APPLY IN THIS STATE, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
August 18, 1997

Mr. Speaker:

Pursuant to your message received Monday, August 18, 1997, that the House of Representatives fails to concur in the Senate Committee Substitute bill to **H.B. 183** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCLUDE PRIOR IMPAIRED DRIVING CONVICTIONS IN FELONY PRIOR RECORD LEVEL CALCULATION, TO PROVIDE FOR AN INDEFINITE CIVIL SUSPENSION OF A DRIVERS LICENSE WHEN A DRIVER IS CHARGED WITH AN IMPAIRED DRIVING OFFENSE WHILE ANOTHER IMPAIRED DRIVING OFFENSE IS PENDING DISPOSITION, AND TO ALLOW FOR MODIFICATION OF SENTENCE FOR IMPAIRED DRIVING ON REMAND TO DISTRICT COURT OR WITHDRAWAL OF APPEAL, which Senate Committee Substitute bill proposes to change the title, upon concurrence, to read **H.B. 183** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCLUDE PRIOR IMPAIRED DRIVING CONVICTIONS IN FELONY PRIOR RECORD LEVEL CALCULATION, AND TO PROVIDE FOR AN INDEFINITE CIVIL SUSPENSION OF A DRIVERS LICENSE WHEN A DRIVER IS CHARGED WITH AN IMPAIRED DRIVING OFFENSE WHILE ANOTHER IMPAIRED DRIVING OFFENSE IS PENDING DISPOSITION, and requests conferees, the President Pro Tempore appoints:

Senator Cooper, Chairman

Senator Phillips

Senator Forrester

on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
August 18, 1997

Mr. Speaker:

Pursuant to your message received Monday, August 18, 1997, that the House of Representatives fails to concur in Senate Amendment No. 1 to **H.B. 437** (Committee Substitute), A BILL TO BE ENTITLED AN ACT CHANGING THE METHOD FOR APPOINTMENT OF MEMBERS OF THE PILOT MOUNTAIN CIVIC AND RECREATION CENTER AUTHORITY, which Senate Amendment No. 1 proposes to change the title, upon concurrence, to read **H.B. 437** (Committee Substitute), A BILL TO BE ENTITLED AN ACT CHANGING THE METHOD FOR APPOINTMENT OF MEMBERS OF THE PILOT MOUNTAIN CIVIC AND RECREATION CENTER AUTHORITY AND AUTHORIZING THE TOWNS OF CORNELIUS, DAVIDSON, HUNTERSVILLE, AND NAGS HEAD TO ADOPT ORDINANCES REGULATING REMOVAL, REPLACEMENT, AND PRESERVATION OF TREES WITHIN THE TOWNS, and requests conferees, the President Pro Tempore appoints:

Senator Odom, Chairman

Senator Phillips

Senator Forrester

on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
August 18, 1997

Mr. Speaker:

On **S.B. 143** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS PROHIBITING THE SALE OR PURCHASE OF TOBACCO PRODUCTS TO PERSONS LESS THAN EIGHTEEN YEARS OF AGE AND TO REQUIRE THAT CERTAIN PERSONS BE TRAINED REGARDING THESE LAWS, which House

Committee Substitute bill proposes to change the title, upon concurrence, to read **S.B. 143** (House Committee Substitute), **A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE SALE OR PURCHASE OF TOBACCO PRODUCTS TO PERSONS LESS THAN EIGHTEEN YEARS OF AGE AND TO REQUIRE THAT CERTAIN PERSONS BE TRAINED REGARDING THESE LAWS**, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees.

Pursuant to the message that your Honorable Body has adopted the report of the conferees, the President has ordered the bill enrolled.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
August 18, 1997

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute bill No. 2 to **S.B. 676** (House Committee Substitute No. 2), **A BILL TO BE ENTITLED AN ACT TO AMEND THE SEXUAL OFFENDER REGISTRATION PROGRAM TO COMPLY WITH FEDERAL LAW**, and requests conferees. The President Pro Tempore appoints:

Senator Odom, Chairman
Senator Cooper
Senator Rucho

on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

The Speaker appoints Representative Russell, Chair; Representatives Decker and Aldridge as conferees on the part of the House and the Senate is so notified by Special Message.

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate:

Senate Committee Substitute for **H.B. 116**, A BILL TO BE ENTITLED AN ACT TO REGULATE DEER HUNTING IN WILSON COUNTY, is returned for concurrence in Senate committee substitute and referred to the Committee on Rules, Calendar, and Operations of the House.

Upon concurrence, the Senate committee substitute changes the title.

Senate Committee Substitute for **H.B. 836**, A BILL TO BE ENTITLED AN ACT TO CREATE THE NEW HANOVER INTERNATIONAL AIRPORT ECONOMIC DEVELOPMENT ZONE, is returned for concurrence in Senate committee substitute and placed on the Calendar of August 20.

Senate Committee Substitute for **H.B. 1087**, A BILL TO BE ENTITLED AN ACT TO MAKE TRESPASSING WITH A MOTORIZED ALL TERRAIN VEHICLE A MISDEMEANOR, is returned for concurrence in Senate committee substitute and referred to the Committee on Rules, Calendar, and Operations of the House.

Committee Substitute for **H.B. 1096**, A BILL TO BE ENTITLED AN ACT TO ADJUST CERTAIN STATUTES AFFECTING THE TRUCKING INDUSTRY TO ENCOURAGE THE GROWTH OF THAT INDUSTRY THROUGH INCREASED TRUCK REGISTRATIONS IN THIS STATE; TO PROVIDE CONSUMER PROTECTION PROVISIONS; AND TO PROVIDE FOR A STUDY OF CERTAIN TRUCKING-RELATED PROVISIONS BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, is returned for concurrence in Senate amendment and placed on the Calendar of August 20.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 87**, A BILL TO BE ENTITLED AN ACT TO DIRECT VARIOUS STATE OFFICERS AND OTHERS TO DEVELOP A PLAN TO ESTABLISH LOCAL INTERAGENCY

AGREEMENTS TO ADDRESS THE NEEDS OF AT-RISK STUDENTS, is returned for concurrence in Senate committee substitute and referred to the Committee on Rules, Calendar, and Operations of the House.

Upon concurrence, the Senate committee substitute changes the title.

Senate Committee Substitute for **H.B. 231**, A BILL TO BE ENTITLED AN ACT TO PROVIDE LIMITED IMMUNITY FOR PHYSICIANS AND PSYCHOLOGISTS PROVIDING MEDICAL INFORMATION ON DRIVERS TO THE COMMISSIONER OF MOTOR VEHICLES IMPLEMENTING THE RECOMMENDATIONS OF THE DRIVERS MEDICAL EVALUATION PROGRAM STUDY COMMISSION, is returned for concurrence in Senate committee substitute and placed on the Calendar of August 20.

Upon concurrence, the Senate committee substitute changes the title.

Senate Committee Substitute for **H.B. 899**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE REQUIREMENTS FOR DISCLOSURES UPON THE SALE OF RESIDENTIAL PROPERTIES, is returned for concurrence in Senate committee substitute and placed on the Calendar of August 20.

Senate Committee Substitute for **H.B. 1012**, A BILL TO BE ENTITLED AN ACT TO PROTECT SPORT SHOOTING RANGES AND THEIR OWNERS, OPERATORS, AND USERS FROM PUNITIVE RESTRICTIONS, is returned for concurrence in Senate committee substitute and placed on the Calendar of August 20.

Senate Committee Substitute for **H.B. 1135**, A BILL TO BE ENTITLED AN ACT AMENDING THE STATE PERSONNEL ACT TO PROVIDE FOR AN INCENTIVE BONUS PROGRAM TO RECOGNIZE AND REWARD THE COST-SAVING INITIATIVE AND INNOVATIONS OF STATE EMPLOYEES, is returned for concurrence in Senate committee substitute and referred to the Committee on Rules, Calendar, and Operations of the House.

Upon concurrence, the Senate committee substitute changes the title.

Senate Committee Substitute for **H.B. 1156**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO DEVELOP A SPECIAL REGISTRATION PLATE FOR SUPPORTERS OF THE MARCH OF DIMES AND TO PROVIDE THAT A PORTION OF THE MONEY GENERATED FROM THE SPECIAL PLATES WILL

BE GIVEN TO THE MARCH OF DIMES BIRTH DEFECTS FOUNDATION, is returned for concurrence in Senate committee substitute and referred to the Committee on Rules, Calendar, and Operations of the House.

The Senate committee substitute is ruled to be material, thus constituting its first reading.

Upon concurrence, the Senate committee substitute changes the title.

Committee Substitute for **S.B. 205**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE LAW PROVIDING THAT MEMBERS OF THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM MAY NOT RECEIVE FULL RETIREMENT BENEFITS WHILE SERVING ON THE FEDERAL JUDICIARY, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

CONFERENCE REPORT

Representative Culp sends forth the Conference Report on Senate Committee Substitute for **H.B. 699**, A BILL TO BE ENTITLED AN ACT TO GRANT AUTHORITY TO THE TOWN OF NEWPORT TO ADDRESS ABANDONED STRUCTURES IN THE SAME MANNER AS MUNICIPALITIES IN COUNTIES WITH A POPULATION OF OVER ONE HUNDRED SIXTY-THREE THOUSAND. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of August 20.

CONFERENCE REPORT

Representative Gray moves the adoption of the following Conference Report.

House Committee Substitute for **S.B. 727**

To: The President of the Senate

The Speaker of the House of Representatives

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 727, A BILL TO BE ENTITLED AN ACT TO REDUCE THE STATE SALES TAX ON FOOD BY AN ADDITIONAL ONE CENT EFFECTIVE JANUARY 1, 1998, TO ESTABLISH THE PERCENTAGE RATES FOR THE INSURANCE REGULATORY CHARGE AND THE PUBLIC UTILITY REGULATORY FEE, TO CLARIFY THE BASIS OF THE PREMIUM TAX LIABILITY

ON WHICH THE INSURANCE REGULATORY CHARGE IS LEVIED, TO INCREASE COURT FEES IN CRIMINAL CASES, TO INCREASE THE FEES FOR FILING CERTAIN DOCUMENTS, AND TO PROVIDE THAT ANNUAL REPORTS OF MOST BUSINESS CORPORATIONS SHALL BE FILED WITH THE DEPARTMENT OF REVENUE RATHER THAN THE SECRETARY OF STATE, House Committee Substitute Favorable 5/27/97, submit the following report:

The Senate and the House of Representatives agree to the following amendments to the House Committee Substitute Favorable 5/27/97, and the Senate concurs in the House Committee Substitute Favorable 5/27/97 as amended:

on page 1, line 3,
by deleting the word "JANUARY" and substituting the word "JULY";

and on page 1, line 21,
by deleting the word "January" and substituting the word "July";

and on page 12, lines 10 and 11, page 6, line 29, and page 18, line 20,
by deleting the word "July" each time it appears and substituting the word "September".

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: August 18, 1997.

*Conferees for the
Senate*

S/ John H. Kerr, III, Chairman
S/ Brad Miller
S/ Thomas LaFontine Odom
S/ Beverly Moore Perdue
S/ Aaron W. Plyler
S/ Robert G. Shaw

*Conferees for the
House of Representatives*

S/ Lyons Gray, Chair
S/ Walter Greene Church, Sr.
S/ John Rayfield

The material Conference Report is adopted on its second roll call reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Aldridge, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black,

Blue, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Neely, Nesbitt, Nichols, Nye, Oldham, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, G. Wilson, Wright, and Yongue - 107.

Voting in the negative: Representatives Alexander, Allred, Bonner, Fitch, Kinney, Owens, and Womble - 7.

Excused absences: Representatives Dockham, McMahan, Mosley, and Wood - 4.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 99**, A BILL TO BE ENTITLED AN ACT TO ALLOW CAMDEN COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS COUNTY BOARD OF EDUCATION.

The House concurs in the material Senate committee substitute, which changes the title, on its third roll call reading, by the following vote, and the bill is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Decker, Dedmon, Dickson, Earle, Easterling, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent,

Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, G. Wilson, Womble, Wright, and Yongue - 107.

Voting in the negative: Representatives Capps, Davis, Eddins, and Ellis - 4.

Excused absences: Representatives Dockham, McMahan, Mosley, and Wood - 4.

Senate Committee Substitute for **H.B. 418**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF MOUNT AIRY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, TO MODIFY THE DISTRIBUTION OF THE AVERY COUNTY OCCUPANCY TAX, AND TO REQUIRE PAYMENT OF DELINQUENT TAXES FOR THE TOWNS OF NEWLAND AND SPRUCE PINE AND FOR THE COUNTY OF ALLEGHANY BEFORE RECORDING DEEDS CONVEYING PROPERTY SUBJECT TO THE DELINQUENT TAXES, AND TO VALIDATE BUDGET PROCEDURES OF THE TOWN OF NORWOOD IN STANLY COUNTY.

The House concurs in the material Senate committee substitute, which changes the title, on its third roll call reading, by the following vote, and the bill is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Alexander, Arnold, Baddour, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Daughtry, Decker, Dedmon, Dickson, Earle, Easterling, Ellis, Esposito, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hensley, Hiatt, Hightower, Hill, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Neely, Nesbitt, Nichols, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, G. Wilson, Womble, Wright, and Yongue - 101.

Voting in the negative: Representatives Allred, Baker, Capps, Davis, Eddins, Hardy, Morris, and Nye - 8.

Excused absences: Representatives Dockham, McMahan, Mosley, and Wood - 4.

Senate Committee Substitute for **H.B. 301**, A BILL TO BE ENTITLED AN ACT TO AMEND THE GENERAL STATUTES PERTAINING TO CHILD SUPPORT ENFORCEMENT IN ORDER TO ENHANCE CHILD SUPPORT ENFORCEMENT AND PATERNITY ESTABLISHMENT IN CONFORMANCE WITH FEDERAL WELFARE REFORM REQUIREMENTS.

On motion of Representative Culpepper, the House concurs in the Senate committee substitute, by electronic vote (111-1), and the bill is ordered enrolled and presented to the Governor.

Senate Committee Substitute for **H.B. 431**, A BILL TO BE ENTITLED AN ACT TO PERMIT THE GARNISHMENT OF WAGES TO RECOUP FRAUDULENT OR ERRONEOUS PUBLIC ASSISTANCE PROGRAM PAYMENTS, TO PROVIDE INVESTIGATORY SUBPOENA POWER TO COUNTY DEPARTMENTS OF SOCIAL SERVICES AND THE DEPARTMENT OF HUMAN RESOURCES, AND TO CREATE AN OFFENSE FOR ILLEGAL POSSESSION OR USE OF FOOD STAMPS.

On motion of Representative Howard, and without objection, consideration of the bill is postponed until August 20.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 864, A BILL TO BE ENTITLED AN ACT TO CONFORM THE NORTH CAROLINA TRADEMARK REGISTRATION ACT TO THE 1992 MODEL STATE TRADEMARK BILL BY MAKING VARIOUS AMENDMENTS TO THE ACT, INCLUDING REPEALING THE REQUIREMENT THAT APPLICANTS FOR A REGISTRATION INCLUDE PROOF OF USE OF THE TRADEMARK IN NORTH CAROLINA.

On motion of Representative Allred and without objection, the bill is temporarily displaced.

House Committee Substitute No. 2 for **S.B. 253**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE REGISTRATION OF TELEPHONIC SELLERS IN NORTH CAROLINA, AND TO MAKE THE OFFERING OF TELEPHONE SALES RECOVERY SERVICES A CRIMINAL OFFENSE.

On motion of the Chair, the bill is temporarily displaced.

Committee Substitute for **S.B. 730**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO THE ISSUANCE OF BONDS BY INDUSTRIAL FACILITIES AND POLLUTION CONTROL FINANCING AUTHORITIES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, H. Hunter, R. Hunter, Hurley, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 110.

Voting in the negative: None.

Excused absences: Representatives Dockham, McMahan, Mosley, and Wood - 4.

Committee Substitute No. 3 for **H.B. 502**, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF MOTOR VEHICLE IN THE DEALERS AND MANUFACTURERS LICENSING LAW TO INCLUDE PERSONAL WATERCRAFT AND ALL TERRAIN VEHICLES, fails to pass its second reading, by the following vote.

Those voting in the affirmative are: Speaker Brubaker; Representatives Aldridge, Alexander, Barbee, Berry, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Culp, Davis, Decker, Dedmon, Eddins, Ellis, Esposito, Fox, Gardner, Grady, Gray, Gulley, Hall, Hardy, Hiatt, Howard, R. Hunter, Jeffus, Justus, Kiser, McComas, Mercer, Moore, Morgan, Morris, Ramsey, Redwine, Reynolds, Sexton, Sherrill, Starnes, Tallent, Thompson, Tolson, Watson, Weatherly, and G. Wilson - 50.

Voting in the negative: Representatives Adams, Arnold, Baddour, Baker, Beall, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell,

Creech, Culpepper, Cunningham, Earle, Easterling, Fitch, Gamble, Goodwin, Hackney, Hardaway, Hensley, Hightower, Hill, H. Hunter, Hurley, Insko, Ives, Jarrell, Kinney, Luebke, McAllister, McCombs, Michaux, Miller, Miner, Mitchell, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Rayfield, Rogers, Russell, Saunders, Shubert, Smith, Sutton, Wainwright, Warner, Warwick, Wilkins, C. Wilson, Womble, Wright, and Yongue - 59.

Excused absences: Representatives Dockham, McMahan, Mosley, and Wood - 4.

House Committee Substitute No. 2 for **S.B. 826**, A BILL TO BE ENTITLED AN ACT TO PROVIDE "QUICK TAKE" PROCEDURES IN EMINENT DOMAIN PROCEEDINGS BY SCHOOL BOARDS; AND TO CHANGE THE TERM OF OFFICE OF THE CHARLOTTE-MECKLENBURG BOARD OF EDUCATION FROM FOUR YEARS TO TWO YEARS, SUBJECT TO A REFERENDUM.

On motion of Representative Morgan and without objection, the bill is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 864, A BILL TO BE ENTITLED AN ACT TO CONFORM THE NORTH CAROLINA TRADEMARK REGISTRATION ACT TO THE 1992 MODEL STATE TRADEMARK BILL BY MAKING VARIOUS AMENDMENTS TO THE ACT, INCLUDING REPEALING THE REQUIREMENT THAT APPLICANTS FOR A REGISTRATION INCLUDE PROOF OF USE OF THE TRADEMARK IN NORTH CAROLINA, which was temporarily displaced, is before the Body.

Representative Allred offers Amendment No. 1.

Representative Allred calls the previous question on the amendment and the call is sustained by electronic vote (64-46).

Amendment No. 1 is adopted by electronic vote (59-50).

On motion of Representative Cansler and without objection, the bill is temporarily displaced.

House Committee Substitute for **S.B. 253**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE REGISTRATION OF TELEPHONIC SELLERS IN NORTH CAROLINA, AND TO MAKE THE OFFERING

OF TELEPHONE SALES RECOVERY SERVICES A CRIMINAL OFFENSE, which was temporarily displaced, is before the Body.

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dickson, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardy, Hensley, Hiatt, Hightower, Hill, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Neely, Nesbitt, Nichols, Nye, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 108.

Voting in the negative: None.

Excused absences: Representatives Dockham, McMahan, Mosley, and Wood - 4.

CONFERENCE REPORT

Representative Daughtry sends forth the Conference Report on Senate Committee Substitute No. 2 for **H.B. 1108**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE PERMITS FOR "BREW ON PREMISES" BUSINESSES. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of August 20.

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber

August 19, 1997

Mr. Speaker:

On **H.B. 699**, A BILL TO BE ENTITLED AN ACT TO GRANT AUTHORITY TO THE TOWN OF NEWPORT TO ADDRESS ABANDONED STRUCTURES IN THE SAME MANNER AS MUNICIPALITIES IN COUNTIES WITH A POPULATION OF OVER ONE HUNDRED SIXTY-THREE THOUSAND, which Senate Committee Substitute bill proposes to change the title, upon concurrence, to read **H.B. 699** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO GRANT AUTHORITY TO THE CITY OF GREENVILLE AND THE TOWNS OF BETHEL, FARMVILLE, AND NEWPORT TO ADDRESS ABANDONED STRUCTURES IN THE SAME MANNER AS MUNICIPALITIES IN COUNTIES WITH A POPULATION OF OVER ONE HUNDRED SIXTY-THREE THOUSAND, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees to the end that when a similar action has been taken on the part of your Honorable Body, the Speaker may order the bill enrolled.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate:

Committee Substitute for **S.B. 841**, A BILL TO BE ENTITLED AN ACT TO ALLOW FOREIGN CORPORATIONS TO DEDUCT EXPENSES RELATED TO DEDUCTIBLE SUBSIDIARY DIVIDENDS TO THE SAME EXTENT AS NORTH CAROLINA CORPORATIONS AND TO CLARIFY THE TREATMENT OF DIVIDENDS AS BUSINESS OR NONBUSINESS INCOME, is read the first time and referred to the Committee on Finance.

Committee Substitute for **S.B. 624**, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF SEDALIA AND TO ANNEX A DESCRIBED AREA TO THE TOWN OF CHADBURN, is read the first time and referred to the Committee on Finance.

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
August 19, 1997

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute bill No. 2 to **S.B. 565** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE APPLICATION OF THE COMMISSIONER OF BANK'S RATE TO VARIABLE RATE LOANS WITH ADJUSTMENT PERIODS GREATER THAN ONE MONTH AND TO REPEAL THE LAWS GOVERNING VARIABLE RATE LOANS OF MANUFACTURED HOMES AND INSTALLMENT RATES AND FEES, which House Committee Substitute bill No. 2 proposes to change the title, upon concurrence, to read **S.B. 565** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE APPLICATION OF THE COMMISSIONER OF BANKS' RATE TO VARIABLE RATE LOANS WITH ADJUSTMENT PERIODS GREATER THAN ONE MONTH, TO REPEAL THE LAWS GOVERNING VARIABLE RATE LOANS OF MANUFACTURED HOMES AND INSTALLMENT RATES AND FEES, TO ESTABLISH FINANCE CHARGE RATES FOR CONSUMER CREDIT INSTALLMENT SALES CONTRACTS FOR WATERCRAFTS, AND TO AMEND THE NORTH CAROLINA FINANCIAL PRIVACY ACT TO PERMIT THE DISCLOSURE OF THE NAME, ADDRESS, AND EXISTENCE OF AN ACCOUNT OF ANY CUSTOMER, and requests conferees. The President Pro Tempore appoints:

Senator Hoyle, Chairman

Senator Reeves

Senator Ballantine

on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

The Speaker appoints Representative Church, Chair; Representatives Thompson, Miner, Hill, and Hall as conferees on the part of the House and the Senate is so notified by Special Message.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representative Allred for the Committee on Ways and Means:

S.B. 683, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DURHAM CITY COUNCIL TO DELEGATE TO THE CITY MANAGER THE AUTHORITY TO APPROVE THE PAYMENT OF FACILITIES FEES IN INSTALLMENTS, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber

August 19, 1997

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute bill to **S.B. 684**, A BILL TO BE ENTITLED AN ACT AMENDING THE DURHAM CITY CHARTER TO RENAME THE SUBDIVISION REVIEW BOARD AND INCREASING THE NUMBER OF PERSONS WHO MAY SERVE ON THAT BOARD, which House Committee Substitute bill proposes to change the title, upon concurrence, to read **S.B. 684** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE DURHAM CITY CHARTER TO RENAME THE SUBDIVISION REVIEW BOARD AND INCREASING THE NUMBER OF PERSONS WHO MAY SERVE ON THAT BOARD, TO ALLOW DURHAM COUNTY TO ADOPT A FAIR HOUSING ORDINANCE, AND PROVIDING THAT THE INITIAL ELECTION OF THE ALAMANCE-BURLINGTON BOARD OF EDUCATION SHALL BE HELD IN 1997, and requests conferees. The President Pro Tempore appoints:

Senator Lucas, Chairman

Senator Gulley

Senator Miller

Senator Kinnaird

Senator Rucho

on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
August 19, 1997

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute bill to **S.B. 264, A BILL TO BE ENTITLED AN ACT TO PROVIDE LIMITED LIABILITY TO EMPLOYERS WHO DISCLOSE INFORMATION ABOUT AN EMPLOYEE WHEN THE EMPLOYER IS PROVIDING A REFERENCE**, which House Committee Substitute bill proposes to change the title, upon concurrence, to read **S.B. 264 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE IMMUNITY TO EMPLOYERS WHO DISCLOSE INFORMATION ABOUT AN EMPLOYEE WHEN THE EMPLOYER IS PROVIDING A REFERENCE**, and requests conferees. The President Pro Tempore appoints:

Senator Cooper, Chairman
Senator Horton
Senator Winner

on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

CONFEREES APPOINTED

The Speaker announces the following conferees on House Committee Substitute for **S.B. 264, A BILL TO BE ENTITLED AN ACT TO PROVIDE**

IMMUNITY TO EMPLOYERS WHO DISCLOSE INFORMATION ABOUT AN EMPLOYEE WHEN THE EMPLOYER IS PROVIDING A REFERENCE: Representative Neely, Chair; Representatives Sherrill and Redwine.

The Senate is so notified by Special Message.

The Speaker announces the following conferees on House Committee Substitute for **S.B. 684**, A BILL TO BE ENTITLED AN ACT AMENDING THE DURHAM CITY CHARTER TO RENAME THE SUBDIVISION REVIEW BOARD AND INCREASING THE NUMBER OF PERSONS WHO MAY SERVE ON THAT BOARD, TO ALLOW DURHAM COUNTY TO ADOPT A FAIR HOUSING ORDINANCE, AND PROVIDING THAT THE INITIAL ELECTION OF THE ALAMANCE-BURLINGTON BOARD OF EDUCATION SHALL BE HELD IN 1997: Representative Allred, Chair; Representatives Ellis and Luebke.

The Senate is so notified by Special Message.

Representative Morgan moves, seconded by Representative Sutton, that the House adjourn, subject to the ratification of bills and the receipt of Conference Reports, to reconvene August 20 at 10:00 a.m.

The motion carries.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

S.B. 273, AN ACT PERTAINING TO THE COVERAGE OF POSTMASTECTOMY INPATIENT CARE UNDER HEALTH INSURANCE PLANS.

S.B. 439, AN ACT TO CONFORM THE NORTH CAROLINA SECURITIES ACT AND THE INVESTMENT ADVISERS ACT TO THE NATIONAL SECURITIES MARKETS IMPROVEMENT ACT OF 1996.

S.B. 561, AN ACT TO REMEDY THE INADVERTENT EXCLUSION OF DULY SWORN AND COMMISSIONED COMPANY POLICE OFFICERS FROM THE CONCEALED HANDGUN STATUTES, TO EXEMPT ACTIVE OR RETIRED COMPANY POLICE OFFICERS FROM THE TRAINING REQUIRED TO QUALIFY FOR A CONCEALED HANDGUN PERMIT IF THE OFFICER APPLIES FOR THE PERMIT

WITHIN TWO YEARS OF RETIREMENT, AND TO CLARIFY THE MENTAL HEALTH REQUIREMENTS FOR A CONCEALED HANDGUN PERMIT.

S.B. 757, AN ACT TO ESTABLISH ADVANCE INSTRUCTION FOR MENTAL HEALTH TREATMENT.

S.B. 842, AN ACT TO EXEMPT PERSONS PERFORMING CERTAIN ALTERATIONS, REMODELING, AND RENOVATIONS OF EXISTING BUILDINGS OR STRUCTURES FROM THE ARCHITECTURAL LICENSURE REQUIREMENTS.

H.B. 301, AN ACT TO AMEND THE GENERAL STATUTES PERTAINING TO CHILD SUPPORT ENFORCEMENT IN ORDER TO ENHANCE CHILD SUPPORT ENFORCEMENT AND PATERNITY ESTABLISHMENT IN CONFORMANCE WITH FEDERAL WELFARE REFORM REQUIREMENTS.

ENROLLED BILLS

The following bills are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 99, AN ACT TO ALLOW BURKE AND CAMDEN COUNTIES TO ACQUIRE PROPERTY FOR USE BY THEIR COUNTY BOARDS OF EDUCATION.

H.B. 418, AN ACT TO AUTHORIZE SCOTLAND COUNTY AND THE CITY OF MOUNT AIRY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, TO MODIFY THE DISTRIBUTION OF THE AVERY COUNTY OCCUPANCY TAX, TO REQUIRE PAYMENT OF DELINQUENT TAXES FOR THE TOWNS OF NEWLAND AND SPRUCE PINE AND FOR THE COUNTY OF ALLEGHANY BEFORE RECORDING DEEDS CONVEYING PROPERTY SUBJECT TO THE DELINQUENT TAXES, AND TO VALIDATE BUDGET PROCEDURES OF THE TOWN OF NORWOOD IN STANLY COUNTY.

The House stands adjourned at 2:45 p.m.

ONE HUNDRED SEVENTEENTH DAY

HOUSE OF REPRESENTATIVES

Wednesday, August 20, 1997

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain.

"God of heaven and earth, we give You thanks for this moment of midday rest amidst the constant commotion, hustle, and bustle of our lives. We need a time of quietness to think and reflect and ponder our thoughts and actions in the light of Your majesty. It is much too easy to run throughout our day, forgetting to pause long enough to at least give You thanks for the wonderful gifts of life through which You have blessed us. We run and run and run, and all too often, we fail to look back or to look ahead and see from where we have come or where we are headed. Help us to avoid going through life with reckless abandon, thinking that it has been through our own efforts and political maneuvering that has gotten us where we are or to where we wish to be. Teach us, guide us, and if necessary, admonish us to stop at some point in the midst of our day, and say, 'Hello', to You our God and our Master. We need Thee every hour...every hour...this hour not excluded. If Thou be willing, and if it is Thine favor to do so, shine Your mercy and grace upon us, even in this moment. Remind us of our duty and our responsibility not just to the people, but ultimately to You. Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of August 19 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (95-1).

Leaves of absence are granted Representatives Blue, Luebke, McMahan, Miller, Weatherly, and Wood for today. Representative R. Hunter is excused for a portion of the session.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Committee on Finance:

Committee Substitute for **S.B. 483**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE AMOUNT PAID TO PHYSICIANS TO READ X-RAY FILMS FOR THE DUSTY TRADES PROGRAM, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **S.B. 624**, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF SEDALIA AND TO ANNEX A DESCRIBED AREA TO THE TOWN OF CHADBOURN, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **S.B. 841**, A BILL TO BE ENTITLED AN ACT TO ALLOW FOREIGN CORPORATIONS TO DEDUCT EXPENSES RELATED TO DEDUCTIBLE SUBSIDIARY DIVIDENDS TO THE SAME EXTENT AS NORTH CAROLINA CORPORATIONS AND TO CLARIFY THE TREATMENT OF DIVIDENDS AS BUSINESS OR NONBUSINESS INCOME, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

House Committee Substitute for **S.B. 992**, A BILL TO BE ENTITLED AN ACT AMENDING THE LAWS RELATED TO THE NORTH CAROLINA BOXING COMMISSION AND TO INCREASE THE GROSS RECEIPTS TAX ON BOXING, KICKBOXING, AND TOUGHMAN EVENTS, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 2 is placed on the Calendar. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

Senate Committee Substitute for **H.B. 568**, A BILL TO BE ENTITLED AN ACT CONCERNING SATELLITE ANNEXATIONS BY THE TOWN OF WAKE FOREST, with recommendation that the House concur.

The bill is placed on the Calendar of August 21.

Senate Committee Substitute for **H.B. 1064**, A BILL TO BE ENTITLED AN ACT TO ALLOW A HOUSING AUTHORITY TO TERMINATE OR FAIL TO RENEW A LEASE IF A TENANT ENGAGES IN CRIMINAL ACTIVITY AND TO ALLOW CERTAIN SUMMARY EJECTMENT ACTIONS INITIATED BY A HOUSING AUTHORITY TO BE HELD IN DISTRICT COURT INSTEAD OF IN MAGISTRATE'S COURT, with recommendation that the House concur.

The bill is placed on the Calendar of August 21.

S.B. 488, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROCESS OF SELECTING THE CHAIR OF THE VOCATIONAL REHABILITATION ADVISORY COUNCIL TO CONFORM WITH FEDERAL LAW AND TO PROVIDE THAT THE CHAIR'S TERM SHALL NOT EXCEED THREE YEARS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **S.B. 725**, A BILL TO BE ENTITLED AN ACT PERTAINING TO THE FILING OF A DEFERRED CHARGE WITH EEOC OR THE OFFICE OF ADMINISTRATIVE HEARINGS BY STATE OR LOCAL GOVERNMENT EMPLOYEES, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar of August 21. The Senate committee substitute bill is placed on the Unfavorable Calendar.

House Committee Substitute No. 2 for **S.B. 826**, A BILL TO BE ENTITLED AN ACT TO PROVIDE "QUICK TAKE" PROCEDURES IN EMINENT DOMAIN PROCEEDINGS BY SCHOOL BOARDS; AND TO CHANGE THE TERM OF OFFICE OF THE CHARLOTTE-MECKLENBURG BOARD OF EDUCATION FROM FOUR YEARS TO TWO YEARS, SUBJECT TO A REFERENDUM, with a favorable report as to House Committee Substitute Bill No. 3, which changes the title, unfavorable as to House Committee Substitute Bill No. 2.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 3 is placed on the Calendar. House Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

SUBCOMMITTEE REFERRAL

Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Standing Committee on Finance, refer House Committee Substitute for **S.B. 424**, A BILL TO BE ENTITLED AN ACT CONCERNING ANNEXATION OF NONCONTIGUOUS AREAS BY THE TOWNS OF APEX, FUQUAY-VARINA, KNIGHTDALE, RALEIGH, AND WAKE FOREST, TO PROVIDE STAGGERED TERMS FOR THE TOWN OF BROADWAY, AND TO PROVIDE THAT THE BOARD OF COMMISSIONERS OF LEE COUNTY SHALL CONSIST OF SEVEN MEMBERS ELECTED AT LARGE FOR FOUR-YEAR STAGGERED TERMS ON A NONPARTISAN BASIS AT THE TIME OF THE GENERAL ELECTION, to the Permanent Subcommittee on Local, Regional, and State Revenues.

CONFERENCE REPORT

The material Conference Report for House Committee Substitute for **S.B. 727**, A BILL TO BE ENTITLED AN ACT TO REDUCE THE STATE SALES TAX ON FOOD BY AN ADDITIONAL ONE CENT EFFECTIVE JANUARY 1, 1998, TO ESTABLISH THE PERCENTAGE RATES FOR THE INSURANCE REGULATORY CHARGE AND THE PUBLIC UTILITY REGULATORY FEE, TO CLARIFY THE BASIS OF THE PREMIUM TAX LIABILITY ON WHICH THE INSURANCE REGULATORY CHARGE IS LEVIED, TO INCREASE COURT FEES IN CRIMINAL CASES, TO INCREASE THE FEES FOR FILING CERTAIN DOCUMENTS, AND TO PROVIDE THAT ANNUAL REPORTS OF MOST BUSINESS CORPORATIONS SHALL BE FILED WITH THE DEPARTMENT OF REVENUE RATHER THAN THE SECRETARY OF STATE, which changes the title, is adopted on its third roll call reading, by the following vote, and the Senate is so notified by Special Message.

Those voting in the affirmative are: Speaker Brubaker; Representatives Aldridge, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Esposito, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, McAllister, McComas, McCombs, McCrary, Mercer, Michaux, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Preston, Ramsey, Rayfield, Redwine, Reynolds,

Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Warwick, Watson, Wilkins, G. Wilson, Wright, and Yongue - 102.

Voting in the negative: Representatives Adams, Alexander, Allred, Fitch, Owens, and Womble - 6.

Excused absences: Representatives Blue, Luebke, McMahan, Miller, Weatherly, and Wood - 6.

CONFERENCE REPORT

Representative Smith moves the adoption of the following Conference Report.

Senate Committee Substitute for H.B. 699

To: The President of the Senate

The Speaker of the House of Representatives

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 699, A BILL TO BE ENTITLED AN ACT TO GRANT AUTHORITY TO THE CITY OF GREENVILLE AND THE TOWNS OF BETHEL, FARMVILLE, AND NEWPORT TO ADDRESS ABANDONED STRUCTURES IN THE SAME MANNER AS MUNICIPALITIES IN COUNTIES WITH A POPULATION OF OVER ONE HUNDRED SIXTY-THREE THOUSAND, Senate State Government, Local Government, and Personnel Committee Substitute Adopted 7/10/97, Third Edition, submit the following report:

The House concurs in the Senate State Government, Local Government, and Personnel Committee Substitute Adopted 7/10/97, Third Edition, with an amendment: delete the entire proposed Senate State Government, Local Government, and Personnel Committee Substitute Adopted 7/10/97, Third Edition, and insert the attached proposed conference committee substitute H699-PCCS2372.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: August 18, 1997

*Conferees For the
Senate*

S/ Brad Miller, chairman
S/ R. L. Martin

*Conferees for the
House of Representatives*

S/ Arlie F. Culp, chair
S/ Ronald Smith
S/ Jean R. Preston

The Conference Report, which changes the title, is adopted, by electronic vote (102-2), and the Senate is so notified by Special Message. (The Conference Committee Substitute may be found in its entirety in the Appendix.)

Representative Adams states that her voting equipment malfunctioned and she requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (103-1).

The Senate having previously adopted the Conference Report, the Speaker orders the bill enrolled.

CONFERENCE REPORT

Representative Daughtry moves the adoption of the following Conference Report.

Senate Committee Substitute for H.B. 1108

To: The President of the Senate
The Speaker of the House of Representatives

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 1108, A BILL TO BE ENTITLED AN ACT TO ALLOW THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE PERMITS FOR "BREW ON PREMISES" BUSINESSES AND TO CLARIFY THE APPLICABILITY OF CERTAIN REGULATIONS TO SOME SPORTS CLUBS, Sixth Edition Engrossed 7/29/97, submit the following report:

The conferees recommend that the Senate and the House of Representatives adopt this report.

The House concurs in the Senate committee substitute with the following amendment:

(1) The title of the bill is rewritten to read:

"A BILL TO BE ENTITLED AN ACT TO ALLOW THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE PERMITS FOR 'BREW ON PREMISES' BUSINESSES.";

(2) Page 1, line 7 is rewritten to read:

"Section 1. G.S. 18B-307 reads as";

(3) Page 2, line 7 is rewritten to read:

"Section 2. G.S. 18B-902(d), as amended by S.L. 1997-134, reads as rewritten:"; and

(4) Page 3, lines 21 through 27 is rewritten to read:

"Section 4. This act is effective when it becomes law.".

The Senate concurs in the same.

Date conferees approved report: August 19, 1997.

*Conferees for the
Senate*

S/ Thomas LaFontine Odom, Chair
S/ Robert A. Rucho
S/ C. S. Dannelly

*Conferees for the
House of Representatives*

S/ N. Leo Daughtry, Chair
S/ C. B. Russell
S/ James B. Black
S/ Michael P. Decker, Sr.

The Conference Report, which changes the title, is adopted, by electronic vote (94-12), and the Senate is so notified by Special Message.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 836**, A BILL TO BE ENTITLED AN ACT TO CREATE THE NEW HANOVER INTERNATIONAL AIRPORT ECONOMIC DEVELOPMENT ZONE.

On motion of Representative Wright, the House concurs in the Senate committee substitute, by electronic vote (106-0), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 231**, A BILL TO BE ENTITLED AN ACT TO PROVIDE LIMITED IMMUNITY FOR PHYSICIANS AND PSYCHOLOGISTS PROVIDING MEDICAL INFORMATION ON DRIVERS TO THE COMMISSIONER OF MOTOR VEHICLES IMPLEMENTING

THE RECOMMENDATIONS OF THE DRIVERS MEDICAL EVALUATION PROGRAM STUDY COMMISSION.

On motion of Representative Hiatt, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (71-36), and the bill is ordered enrolled and presented to the Governor.

Senate Committee Substitute for **H.B. 431**, A BILL TO BE ENTITLED AN ACT TO PERMIT THE GARNISHMENT OF WAGES TO RECOUP FRAUDULENT OR ERRONEOUS PUBLIC ASSISTANCE PROGRAM PAYMENTS, TO PROVIDE INVESTIGATORY SUBPOENA POWER TO COUNTY DEPARTMENTS OF SOCIAL SERVICES AND THE DEPARTMENT OF HUMAN RESOURCES, AND TO CREATE AN OFFENSE FOR ILLEGAL POSSESSION OR USE OF FOOD STAMPS.

On motion of Representative Howard, the House does not concur in the Senate committee substitute, by electronic vote (79-32), and conferees are requested.

Senate Committee Substitute for **H.B. 899**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE REQUIREMENTS FOR DISCLOSURES UPON THE SALE OF RESIDENTIAL PROPERTIES.

On motion of Representative Howard, the House concurs in the Senate committee substitute, by electronic vote (109-0), and the bill is ordered enrolled and presented to the Governor.

Senate Committee Substitute for **H.B. 1012**, A BILL TO BE ENTITLED AN ACT TO PROTECT SPORT SHOOTING RANGES AND THEIR OWNERS, OPERATORS, AND USERS FROM PUNITIVE RESTRICTIONS.

On motion of Representative Sexton, the House concurs in the Senate committee substitute, by electronic vote (100-10), and the bill is ordered enrolled and presented to the Governor.

Committee Substitute for **H.B. 1096**, A BILL TO BE ENTITLED AN ACT TO ADJUST CERTAIN STATUTES AFFECTING THE TRUCKING INDUSTRY TO ENCOURAGE THE GROWTH OF THAT INDUSTRY THROUGH INCREASED TRUCK REGISTRATIONS IN THIS STATE; TO PROVIDE CONSUMER PROTECTION PROVISIONS; AND TO PROVIDE FOR A STUDY OF CERTAIN TRUCKING-RELATED PROVISIONS BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

Pursuant to Rule 24.1A(c), the excused vote for Representative McComas from August 6 is continued.

Representative Hackney requests that he be excused from voting on this bill due to State Bar rules, under Rule 24.1A and this request is granted.

On motion of Representative Hiatt, the House concurs in the Senate amendment, by electronic vote (107-0), and the bill is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 372**, A BILL TO BE ENTITLED AN ACT TO AMEND, FOR SERVICE IN A CIVIL ACTION UPON A DEFENDANT LOCATED OUTSIDE THE UNITED STATES, THE TIME LIMITS REGARDING THE SECURING OF AN ENDORSEMENT UPON THE ORIGINAL SUMMONS OR THE SUING OUT OF AN ALIAS OR PLURIES SUMMONS WHEN THE DEFENDANT IS NOT SERVED WITHIN THE TIME ALLOWED FOR SERVICE AND TO VALIDATE NOTARIAL ACTS PERFORMED BY CERTAIN NOTARIES BEFORE JUNE 1, 1997, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 438**, A BILL TO BE ENTITLED AN ACT TO AMEND THE ENFORCEMENT PROCEDURES RELATED TO THE REGISTRATION OF SECURITIES AND TO INVESTMENT ADVISERS AND TO ESTABLISH THE CONFIDENTIALITY OF RECORDS RELATING TO CRIMINAL INVESTIGATIONS AND ENFORCEMENT PROCEEDINGS, passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 627**, A BILL TO BE ENTITLED AN ACT TO CLARIFY AND EXPAND THE CLASSIFICATION OF

PERSONS WHO MAY OBTAIN A DOMESTIC VIOLENCE PROTECTIVE ORDER; TO CLARIFY THE CIRCUMSTANCES UNDER WHICH MAGISTRATES MAY ISSUE PROTECTIVE ORDERS; AND TO IMPOSE A CRIMINAL PENALTY FOR VIOLATION OF A PROTECTIVE ORDER, passes its second reading, by electronic vote (104-0), and there being no objection is read a third time.

Representatives Davis and Clary state that their voting equipment malfunctioned and they request to be recorded as voting "aye". These requests are granted. The adjusted vote total is (106-0).

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

House Committee Substitute for **S.B. 973**, A BILL TO BE ENTITLED AN ACT TO REQUIRE HEALTH BENEFIT PLANS TO PROVIDE CERTAIN INFORMATION.

Representative Bowie offers Amendment No. 1 which is adopted by electronic vote (109-0).

The bill, as amended, passes its second reading, by electronic vote (106-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate for concurrence in House committee substitute by Special Message.

House Committee Substitute for **S.B. 441**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE AMOUNT ALLOCATED TO SHERIFFS FROM THE FEES CHARGED FOR CONCEALED HANDGUN APPLICATIONS AND RENEWALS, passes its second reading, by electronic vote (106-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

S.B. 864, A BILL TO BE ENTITLED AN ACT TO CONFORM THE NORTH CAROLINA TRADEMARK REGISTRATION ACT TO THE 1992 MODEL STATE TRADEMARK BILL BY MAKING VARIOUS AMENDMENTS TO THE ACT, INCLUDING REPEALING THE REQUIREMENT THAT APPLICANTS FOR A REGISTRATION INCLUDE PROOF OF USE OF THE TRADEMARK IN NORTH CAROLINA.

Representative Cansler offers Amendment No. 2 which is adopted by electronic vote (107-1).

The bill, as amended, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House amendment by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Baddour, Baker, Barbee, Beall, Black, Bonner, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, McAllister, McComas, McCombs, McCrary, Mercer, Michaux, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Nesbitt, Nichols, Nye, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 106.

Voting in the negative: None.

Excused absences: Representatives Blue, Luebke, McMahan, Miller, Weatherly, and Wood - 6.

House Committee Substitute No. 2 for **S.B. 253**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE REGISTRATION OF TELEPHONIC SELLERS IN NORTH CAROLINA, AND TO MAKE THE OFFERING OF TELEPHONE SALES RECOVERY SERVICES A CRIMINAL OFFENSE, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House Committee Substitute No. 2 by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley,

Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, McAllister, McComas, McCombs, McCrary, Mercer, Michaux, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 111.

Voting in the negative: None.

Excused absences: Representatives Blue, Luebke, McMahan, Miller, Weatherly, and Wood - 6.

Committee Substitute for **S.B. 730**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO THE ISSUANCE OF BONDS BY INDUSTRIAL FACILITIES AND POLLUTION CONTROL FINANCING AUTHORITIES, passes its third reading, by the following vote, and is ordered enrolled and presented to the Governor.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, McAllister, McComas, McCombs, McCrary, Mercer, Michaux, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 110.

Voting in the negative: None.

Excused absences: Representatives Blue, Luebke, McMahan, Miller, Weatherly, and Wood - 6.

CONFEREES APPOINTED

The Speaker announces the following conferees on Senate Committee Substitute for **H.B. 431**, A BILL TO BE ENTITLED AN ACT TO PERMIT

THE GARNISHMENT OF WAGES TO RECOUP FRAUDULENT OR ERRONEOUS PUBLIC ASSISTANCE PROGRAM PAYMENTS, TO PROVIDE INVESTIGATORY SUBPOENA POWER TO COUNTY DEPARTMENTS OF SOCIAL SERVICES AND THE DEPARTMENT OF HUMAN RESOURCES, AND TO CREATE AN OFFENSE FOR ILLEGAL POSSESSION OR USE OF FOOD STAMPS: Representative Howard, Chair; Representatives Morgan and Hill.

The Senate is so notified by Special Message.

RE-REFERRAL

On motion of Representative Allred and without objection, **S.B. 719**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE PURPOSES FOR WHICH THE GOLDSBORO ROOM OCCUPANCY TAX MAY BE USED AND TO MAKE TECHNICAL AND CONFORMING CHANGES, is withdrawn from the Committee on Ways and Means and re-referred to the Committee on Rules, Calendar, and Operations of the House.

CONFERENCE REPORT

Representative Hackney sends forth the Conference Report on Senate Committee Substitute for **H.B. 227**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT RECORDATION OF AN INACTIVE HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITE IS NOT REQUIRED IN CERTAIN CASES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of August 21.

CONFERENCE REPORT

Representative Hiatt sends forth the Conference Report on Committee Substitute for **H.B. 437**, A BILL TO BE ENTITLED AN ACT CHANGING THE METHOD FOR APPOINTMENT OF MEMBERS OF THE PILOT MOUNTAIN CIVIC AND RECREATION CENTER AUTHORITY. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of August 21.

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
August 20, 1997

Mr. Speaker:

On **H.B. 1108** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ALLOW THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE PERMITS FOR "BREW ON PREMISES" BUSINESSES, which Senate Committee Substitute bill No. 2 proposes to change the title, upon concurrence, to read **H.B. 1108** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ALLOW THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE PERMITS FOR "BREW ON PREMISES" BUSINESSES AND TO CLARIFY THE APPLICABILITY OF CERTAIN REGULATIONS TO SOME SPORTS CLUBS, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees and the title becomes **H.B. 1108** (Senate Committee Substitute No. 2) A BILL TO BE ENTITLED AN ACT TO ALLOW THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE PERMITS FOR "BREW ON PREMISES" BUSINESSES, to the end that when a similar action has been taken on the part of your Honorable Body, the Speaker may order the bill enrolled.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

The Speaker orders the bill enrolled and presented to the Governor.

Representative Morgan moves, seconded by Representative Hightower, that the House adjourn, subject to the receipt of Conference Reports and the ratification of bills, to reconvene August 21 at 10:00 a.m.

The motion carries.

The House stands adjourned at 2:45 p.m.

ONE HUNDRED EIGHTEENTH DAY

HOUSE OF REPRESENTATIVES
Thursday, August 21, 1997

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain.

"Omnipotent God, You alone hold the universe in Your embrace and only You can tell the sun when to rise and fall. You alone hold the affairs of human government in check. O God, how You must rejoice when we put aside our differences to serve others, and yet, O Lord, how You must weep when we place ourselves in the way of accomplishing Your will.

"Humility is such a difficult spiritual discipline for us. It is hard not to think of ourselves more highly than we ought when others place us upon pedestals upon which they, too, wish to climb. It is even more difficult not to abuse or misuse any power that we may think we possess when we sit in chairs and positions of honor.

"What we need is a drastic re-orientation in our thinking. Remind us that we are not the ones in control; but rather, You are the one who guides and directs human affairs through us, because of us, and, yes, even in spite of us. Teach us the meaning of humility, self-denial, and servanthood so that we might accomplish the tasks set before us. All this we humbly pray as we bow before Thy countenance which goes before us, remains with us at all times, and will follow us forever and ever. Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of August 20 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (109-2).

Leaves of absence are granted Representatives Gamble, R. Hunter, Miller, Moore, and Reynolds for today.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

S.B. 426, AN ACT TO AUTHORIZE SPECIAL REGISTRATION LICENSE PLATES ON CERTAIN COMMERCIAL MOTOR VEHICLES, TO PROVIDE SPECIAL REGISTRATION LICENSE PLATES FOR MAGISTRATES, TO ADVANCE THE DATE FOR ISSUANCE OF SPECIAL REGISTRATION LICENSE PLATES FOR SHERIFFS, AND

TO PLACE A MORATORIUM ON THE CREATION OF ANY MORE SPECIAL LICENSE PLATES UNTIL THE LEGISLATIVE RESEARCH COMMISSION HAS COMPLETED ITS STUDY OF SPECIAL LICENSE PLATES.

S.B. 438, AN ACT TO AMEND THE ENFORCEMENT PROCEDURES RELATED TO THE REGISTRATION OF SECURITIES AND TO INVESTMENT ADVISERS AND TO ESTABLISH THE CONFIDENTIALITY OF RECORDS RELATING TO CRIMINAL INVESTIGATIONS AND ENFORCEMENT PROCEEDINGS.

S.B. 730, AN ACT TO AMEND THE LAW RELATING TO THE ISSUANCE OF BONDS BY INDUSTRIAL FACILITIES AND POLLUTION CONTROL FINANCING AUTHORITIES.

H.B. 231, AN ACT TO PROVIDE LIMITED IMMUNITY FOR PHYSICIANS AND PSYCHOLOGISTS PROVIDING MEDICAL INFORMATION ON DRIVERS TO THE COMMISSIONER OF MOTOR VEHICLES IMPLEMENTING THE RECOMMENDATIONS OF THE DRIVERS MEDICAL EVALUATION PROGRAM STUDY COMMISSION AND FOR PHYSICIANS PROVIDING MEDICAL INFORMATION AND TESTIMONY REGARDING PILOTS TO PILOTS' LICENSING AND CERTIFICATION AGENCIES.

H.B. 899, AN ACT TO MODIFY THE REQUIREMENTS FOR DISCLOSURES UPON THE SALE OF RESIDENTIAL PROPERTIES.

H.B. 1012, AN ACT TO PROTECT SPORT SHOOTING RANGES AND THEIR OWNERS, OPERATORS, AND USERS FROM PUNITIVE RESTRICTIONS.

H.B. 1096, AN ACT TO ADJUST CERTAIN STATUTES AFFECTING THE TRUCKING INDUSTRY TO ENCOURAGE THE GROWTH OF THAT INDUSTRY THROUGH INCREASED TRUCK REGISTRATIONS IN THIS STATE; TO PROVIDE CONSUMER PROTECTION PROVISIONS; AND TO PROVIDE FOR A STUDY OF CERTAIN TRUCKING-RELATED PROVISIONS BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

H.B. 1108, AN ACT TO ALLOW THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE PERMITS FOR "BREW ON PREMISES" BUSINESSES.

ENROLLED BILLS

The following bills are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 590, AN ACT TO AMEND THE CHARTER OF THE TOWN OF WILSON'S MILLS TO DESCRIBE THE TOWN'S BOUNDARIES.

H.B. 699, AN ACT TO GRANT AUTHORITY TO THE CITY OF GREENVILLE AND THE TOWNS OF BETHEL, FARMVILLE, AND NEWPORT TO ADDRESS ABANDONED STRUCTURES IN THE SAME MANNER AS MUNICIPALITIES IN COUNTIES WITH A POPULATION OF OVER ONE HUNDRED SIXTY-THREE THOUSAND.

H.B. 836, AN ACT TO CREATE THE NEW HANOVER INTERNATIONAL AIRPORT ECONOMIC DEVELOPMENT ZONE.

CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

H.B. 631, AN ACT TO MODIFY THE FORMULA FOR DISTRIBUTING THE PROCEEDS OF THE FORSYTH COUNTY OCCUPANCY TAXES. (S.L. 1997-408)

H.B. 99, AN ACT TO ALLOW BURKE AND CAMDEN COUNTIES TO ACQUIRE PROPERTY FOR USE BY THEIR COUNTY BOARDS OF EDUCATION. (S.L. 1997-409)

H.B. 418, AN ACT TO AUTHORIZE SCOTLAND COUNTY AND THE CITY OF MOUNT AIRY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, TO MODIFY THE DISTRIBUTION OF THE AVERY COUNTY OCCUPANCY TAX, TO REQUIRE PAYMENT OF DELINQUENT TAXES FOR THE TOWNS OF NEWLAND AND SPRUCE PINE AND FOR THE COUNTY OF ALLEGHANY BEFORE RECORDING DEEDS CONVEYING PROPERTY SUBJECT TO THE DELINQUENT TAXES, AND TO VALIDATE BUDGET PROCEDURES OF THE TOWN OF NORWOOD IN STANLY COUNTY. (S.L. 1997-410)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from permanent subcommittees are presented:

By Representatives G. Wilson and Russell, Co-Chairs, for the Permanent Subcommittee on Capital and Budget of the Standing Committee on Appropriations, with approval of standing committee co-chairs for report to be made directly to the floor of the House:

H.B. 1139, A BILL TO BE ENTITLED AN ACT TO RESERVE TEN PERCENT OF THE UNRESERVED CREDIT BALANCE IN THE GENERAL FUND AT THE END OF EACH FISCAL YEAR TO THE CLEAN WATER REVOLVING LOAN AND GRANT FUND, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be referred to the Committee on Rules, Calendar, and Operations of the House.

The committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

By Representative Hill for the Permanent Subcommittee on Local, Regional, and State Revenues of the Standing Committee on Finance, with approval of standing committee co-chairs for report to be made directly to the floor of the House:

House Committee Substitute for **S.B. 424**, A BILL TO BE ENTITLED AN ACT CONCERNING ANNEXATION OF NONCONTIGUOUS AREAS BY THE TOWNS OF APEX, FUQUAY-VARINA, KNIGHTDALE, RALEIGH, AND WAKE FOREST, TO PROVIDE STAGGERED TERMS FOR THE TOWN OF BROADWAY, AND TO PROVIDE THAT THE BOARD OF COMMISSIONERS OF LEE COUNTY SHALL CONSIST OF SEVEN MEMBERS ELECTED AT LARGE FOR FOUR-YEAR STAGGERED TERMS ON A NONPARTISAN BASIS AT THE TIME OF THE GENERAL ELECTION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar of August 22.

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate:

Committee Substitute for **S.B. 490**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIRECTOR OF THE BUDGET TO CONTINUE EXPENDITURES FOR THE OPERATION OF GOVERNMENT AT THE LEVEL IN EFFECT ON JUNE 30, 1997, AND TO EXTEND EXPIRING

PROVISIONS OF LAW, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

Committee Substitute for S.B. 1065, A BILL TO BE ENTITLED AN ACT TO EXPAND THE INCOME TAX EXCLUSION FOR SEVERANCE PAY TO INCLUDE SEVERANCE PAY DUE TO AN EMPLOYEE'S INVOLUNTARY TERMINATION THROUGH NO FAULT OF THE EMPLOYEE, is read the first time and referred to the Committee on Finance.

CONFERENCE REPORT

Representative Daughtry sends forth the Conference Report on House Committee Substitute No. 3 for S.B. 157, A BILL TO BE ENTITLED AN ACT TO EXPAND THE TIME CORPORATIONS AND LIMITED LIABILITY COMPANIES MAY APPLY FOR REINSTATEMENT FROM ADMINISTRATIVE DISSOLUTION, TO AMEND THE LAW GOVERNING DISSENTERS' RIGHTS PROCEDURES AND THE FILING OF DOCUMENTS BY LIMITED LIABILITY COMPANIES, TO ALLOW FACSIMILE SIGNATURES AND ADVISORY REVIEW OF DOCUMENTS BY THE SECRETARY OF STATE, AND TO CLARIFY CORRECTIONS PROCEDURES, LIMITED LIABILITY NAME AVAILABILITY, AND THE DEFINITION OF FOREIGN PROFESSIONAL CORPORATIONS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION AND OTHERS, AND TO AUTHORIZE THE CREATION OF SINGLE MEMBER LIMITED LIABILITY COMPANIES, TO ALLOW A PARENT CORPORATION TO BE MERGED INTO ITS SUBSIDIARY CORPORATION IN CERTAIN CIRCUMSTANCES, TO REMOVE THE REQUIREMENT THAT A PUBLIC CORPORATION MUST WAIT THIRTY DAYS BEFORE IT CAN FILE ITS ARTICLES OF MERGER WITH THE SECRETARY OF STATE, TO INCREASE THE FEES FOR THE FILING OF CERTAIN DOCUMENTS, AND TO PROVIDE THAT ANNUAL REPORTS OF MOST BUSINESS CORPORATIONS AND LIMITED LIABILITY COMPANIES SHALL BE FILED WITH THE DEPARTMENT OF REVENUE RATHER THAN THE SECRETARY OF STATE. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of August 22.

CONFERENCE REPORT

Representative Hackney moves the adoption of the following Conference Report.

Senate Committee Substitute for H.B. 227

To: The President of the Senate

The Speaker of the House of Representatives

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 227, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT RECORDATION OF AN INACTIVE HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITE IS NOT REQUIRED IN CERTAIN CASES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION AND TO EXPEDITE THE PERMANENT CLOSURE OF LOW-RISK SITES UNDER THE LEAKING PETROLEUM UNDERGROUND STORAGE TANK CLEANUP ACT OF 1988, Third Edition Engrossed 6/17/97, submit the following report:

The House of Representatives concurs in the Senate Committee Substitute, Third Edition Engrossed 6/17/97 with the following amendment:

Delete the entire Senate Committee Substitute, Third Edition Engrossed 6/17/97 and substitute the attached Proposed Conference Committee Substitute H227-PCCS8263, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT RECORDATION OF AN INACTIVE HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITE IS NOT REQUIRED IN CERTAIN CASES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

And the Senate agrees to the same.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: 20 August, 1997.

*Conferees for the
Senate*

*Conferees for the
House of Representatives*

S/ Hamilton C. Horton, Chairman

S/ Joe Hackney

S/ Roy Cooper

S/ Rick Eddins

S/ Fountain Odom

S/ Foyle Hightower

S/ W. F. Mitchell

The Conference Report, which changes the title, is adopted by electronic vote (112-0), and the Senate is so notified by Special Message. (The Conference Committee Substitute may be found in its entirety in the Appendix.)

CONFERENCE REPORT

Representative Hiatt moves the adoption of the following Conference Report.

House Committee Substitute for H.B. 437

To: The President of the Senate

The Speaker of the House of Representatives

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 437, A BILL TO BE ENTITLED AN ACT CHANGING THE METHOD FOR APPOINTMENT OF MEMBERS OF THE PILOT MOUNTAIN CIVIC AND RECREATION CENTER AUTHORITY, Second Edition, Committee Substitute Favorable 4/30/97, submit the following report:

The House concurs in Senate Amendment #1 with an amendment on page 1, line 12, of Senate Amendment #1, add the following at the end of the line: "Any ordinance adopted pursuant to this section shall exclude property to be developed for single-family or duplex residential uses."

The Senate agrees to the same.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: August 19, 1997.

*Conferees for the
Senate*

S/ Thomas L. Odom, Sr., Chairman

S/ James S. Forrester

S/ Jim W. Phillips, Sr.

*Conferees for the
House of Representatives*

S/ William S. Hiatt, Chair

S/ Rex L. Baker

S/ Dewey L. Hill

S/ Gene Wilson

The Conference Report is adopted, by electronic vote (112-0), and the Senate is so notified by Special Message.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 568**, A BILL TO BE ENTITLED AN ACT CONCERNING SATELLITE ANNEXATIONS BY THE TOWN OF WAKE FOREST.

On motion of Representative Eddins, the House concurs in the material Senate committee substitute on its second roll call reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miner, Mitchell, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 113.

Voting in the negative: None.

Excused absences: Representatives Gamble, R. Hunter, Miller, Moore, and Reynolds - 5.

Senate Committee Substitute for **H.B. 1064**, A BILL TO BE ENTITLED AN ACT TO ALLOW A HOUSING AUTHORITY TO TERMINATE OR FAIL TO RENEW A LEASE IF A TENANT ENGAGES IN CRIMINAL ACTIVITY AND TO ALLOW CERTAIN SUMMARY EJECTMENT ACTIONS INITIATED BY A HOUSING AUTHORITY TO BE HELD IN DISTRICT COURT INSTEAD OF IN MAGISTRATE'S COURT.

On motion of Representative Fox, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (110-0), and the bill is ordered enrolled and presented to the Governor.

Representative Davis states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (111-0).

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 583**, A BILL TO BE ENTITLED AN ACT TO REQUIRE PHYSICIANS TO COMPLETE NOT TO EXCEED ONE HUNDRED FIFTY HOURS OF CONTINUING EDUCATION, TO REQUIRE PHYSICIANS TO REGISTER ANNUALLY WITH THE NORTH CAROLINA MEDICAL BOARD, TO AMEND THE LAW GOVERNING REPORTING OF SUSPENSIONS OF PHYSICIAN PRIVILEGES WITH RESPECT TO COMPLETION OF MEDICAL RECORDS, TO MAKE A TECHNICAL CHANGE IN THE PRACTICE OF MEDICINE ACT, AND TO IMPROVE NORTH CAROLINA'S PUBLIC HEALTH SERVICE CAPACITY BY AUTHORIZING APPROVAL OF NONPROFIT HEALTH CARE FACILITIES TO SERVE SOME OF THE DENTAL NEEDS OF LOW-INCOME POPULATIONS AND BY AUTHORIZING THE EMPLOYMENT OF DENTISTS, DENTAL STUDENTS, AND DENTAL INTERNS BY THOSE FACILITIES, passes its second reading by electronic vote (112-0).

Representative Morgan objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 299**, A BILL TO BE ENTITLED AN ACT TO PROVIDE LONG-TERM CARE BENEFITS FOR QUALIFIED EMPLOYEES, RETIRED EMPLOYEES, AND THEIR DEPENDENTS UNDER THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 929**, A BILL TO BE ENTITLED AN ACT TO ENHANCE AND IMPROVE CHILD CARE IN NORTH CAROLINA.

Representative Davis moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Human Resources.

On motion of Representative Morgan, consideration of the bill is postponed until August 22 by electronic vote (82-28).

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

The Speaker and Members of the House
North Carolina General Assembly
State Legislative Building
Raleigh, NC 27603

Dear Mr. Speaker and Members of the House:

In compliance with the provisions of G.S. 126-2, requiring appointees to the State Personnel Commission to be confirmed by the General Assembly, Governor Hunt has submitted his appointees, Mr. Stephen Davis, Mr. Tom Miriello, Ms. Becky Keith, and Mr. Garey Ballance, for confirmation.

Mr. Davis and Ms. Keith, appointed to the two Commission positions for State employees, have been appointed to terms that begin July 1, 1997 and expire June 30, 2003.

Mr. Miriello was appointed immediately to fill the unexpired remainder of the term for the vacant local government employee position on the Commission. This term expires June 30, 1999.

Mr. Ballance was appointed immediately to fill the unexpired remainder of the term for the vacant private industry/business management position on the Commission. This term expires June 30, 2001.

The Committee on Rules, Calendar, and Operations of the House has considered the appointments and makes the following recommendation to the General Assembly:

That the appointments of Mr. Stephen Davis, Mr. Tom Miriello, Ms. Becky Keith, and Mr. Garey Ballance to the State Personnel Commission be confirmed, with their respective terms of office to commence upon confirmation.

Respectfully submitted,
S/ Richard T. Morgan, Chair
Committee on Rules, Calendar,
and Operations of the House

The report is placed on the Calendar of August 22.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

S.J.R. 1087, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF CHARLES KURALT, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative Morgan, **S.B. 841**, A BILL TO BE ENTITLED AN ACT TO ALLOW FOREIGN CORPORATIONS TO DEDUCT EXPENSES RELATED TO DEDUCTIBLE SUBSIDIARY DIVIDENDS TO THE SAME EXTENT AS NORTH CAROLINA CORPORATIONS AND TO CLARIFY THE TREATMENT OF DIVIDENDS AS BUSINESS OR NONBUSINESS INCOME, is withdrawn from the Calendar pursuant to Rule 36(a) and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Morgan, **S.B. 550**, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 89C OF THE GENERAL STATUTES TO PROVIDE THAT THE DESIGN OF LAND APPLICATION IRRIGATION SYSTEMS FOR ANIMAL WASTE MANAGEMENT SYSTEMS MAY BE PERFORMED BY IRRIGATION DESIGN TECHNICAL SPECIALISTS AND CONCERNING AGRICULTURAL BEST MANAGEMENT PRACTICES, is withdrawn from the Calendar

pursuant to Rule 36(a) and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of the Chair, the House recesses at 11:20 a.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Howard and Aldridge, Co-Chairs, for the Committee on Human Resources:

S.B. 445, A BILL TO BE ENTITLED AN ACT TO ALLOW THE NORTH CAROLINA BOARD OF NURSING TO ENTER INTO INTERSTATE COMPACTS TO FACILITATE THE PRACTICE AND REGULATION OF NURSING, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 712, A BILL TO BE ENTITLED AN ACT TO CERTIFY CLINICAL ADDICTIONS SPECIALISTS, PROVIDE SPECIFIC AUTHORITY FOR CERTIFICATION OF CLINICAL SUPERVISORS AND RESIDENTIAL FACILITY DIRECTORS, AND TO MAKE A TECHNICAL CHANGE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

CONFERENCE REPORT

Representative Bowie sends forth the Conference Report on Senate Committee Substitute for **H.B. 183**, A BILL TO BE ENTITLED AN ACT TO INCLUDE PRIOR IMPAIRED DRIVING CONVICTIONS IN FELONY PRIOR RECORD LEVEL CALCULATION, TO PROVIDE FOR AN INDEFINITE CIVIL SUSPENSION OF A DRIVERS LICENSE WHEN A DRIVER IS CHARGED WITH AN IMPAIRED DRIVING OFFENSE WHILE ANOTHER IMPAIRED DRIVING OFFENSE IS PENDING DISPOSITION, AND TO ALLOW FOR MODIFICATION OF SENTENCE FOR IMPAIRED DRIVING ON REMAND TO DISTRICT

COURT OR WITHDRAWAL OF APPEAL. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of August 22.

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

H.B. 404, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 490**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE 1997-98 FISCAL YEAR, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar for immediate consideration. The Senate committee substitute bill is placed on the Unfavorable Calendar.

Representative Eddins offers an amendment. The Speaker rules that the amendment does not fit the edition before the Body and it is returned to the member.

The bill passes its second reading, by electronic vote (112-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 435**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES IN THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN, passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 683**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DURHAM CITY COUNCIL TO DELEGATE TO THE CITY MANAGER THE AUTHORITY TO APPROVE THE PAYMENT OF FACILITIES FEES IN INSTALLMENTS, TO AUTHORIZE THE CITY OF BURLINGTON TO DISPOSE OF CERTAIN PROPERTY BY PRIVATE SALE, AND CONCERNING ZONING IN ALAMANCE COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 516**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A STATE-ADMINISTERED LEAD-BASED PAINT HAZARD MANAGEMENT PROGRAM IN LIEU OF HAVING A FEDERALLY ADMINISTERED PROGRAM APPLY IN THIS STATE, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miner, Mitchell, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 112.

Voting in the negative: None.

Excused absences: Representatives Ellis, Gamble, R. Hunter, Miller, Moore, and Reynolds - 6.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

S.B. 550, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 89C OF THE GENERAL STATUTES TO PROVIDE THAT THE DESIGN OF LAND APPLICATION IRRIGATION SYSTEMS FOR ANIMAL WASTE MANAGEMENT SYSTEMS MAY BE PERFORMED BY IRRIGATION DESIGN TECHNICAL SPECIALISTS AND CONCERNING AGRICULTURAL BEST MANAGEMENT PRACTICES, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

Senate Committee Substitute for **H.B. 496**, A BILL TO BE ENTITLED AN ACT TO GRANT AUTHORITY TO THE MUNICIPALITIES LOCATED IN LEE COUNTY TO ADDRESS ABANDONED STRUCTURES IN THE SAME MANNER AS MUNICIPALITIES IN COUNTIES WITH A POPULATION OF OVER ONE HUNDRED SIXTY-THREE THOUSAND, is returned for concurrence in Senate committee substitute and referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 343**, A BILL TO BE ENTITLED AN ACT RELATING TO THE DUTIES OF HOUSING AUTHORITY COMMISSIONERS UNDER THE PROVISIONS OF ARTICLE 1 OF CHAPTER 157 OF THE GENERAL STATUTES AND TO EXEMPT

THE COUNTY OF DARE AND THE TOWN OF MANTEO FROM CERTAIN REQUIREMENTS FOR PUBLIC CONTRACTS, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

WITHDRAWAL OF OBJECTION TO THIRD READING

Representative Morgan withdraws his objection to the third reading of House Committee Substitute for **S.B. 583**, A BILL TO BE ENTITLED AN ACT TO REQUIRE PHYSICIANS TO COMPLETE NOT TO EXCEED ONE HUNDRED FIFTY HOURS OF CONTINUING EDUCATION, TO REQUIRE PHYSICIANS TO REGISTER ANNUALLY WITH THE NORTH CAROLINA MEDICAL BOARD, TO AMEND THE LAW GOVERNING REPORTING OF SUSPENSIONS OF PHYSICIAN PRIVILEGES WITH RESPECT TO COMPLETION OF MEDICAL RECORDS, TO MAKE A TECHNICAL CHANGE IN THE PRACTICE OF MEDICINE ACT, AND TO IMPROVE NORTH CAROLINA'S PUBLIC HEALTH SERVICE CAPACITY BY AUTHORIZING APPROVAL OF NONPROFIT HEALTH CARE FACILITIES TO SERVE SOME OF THE DENTAL NEEDS OF LOW-INCOME POPULATIONS AND BY AUTHORIZING THE EMPLOYMENT OF DENTISTS, DENTAL STUDENTS, AND DENTAL INTERNS BY THOSE FACILITIES, and the bill is before the Body.

The bill passes its third reading, by electronic vote (110-0), and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 725**, A BILL TO BE ENTITLED AN ACT AMENDING CHAPTER 143 OF THE GENERAL STATUTES TO PROVIDE FOR AN INCENTIVE BONUS PROGRAM TO RECOGNIZE AND REWARD THE COST-SAVING AND REVENUE-INCREASING INITIATIVES AND INNOVATIONS OF STATE EMPLOYEES, passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Representative Morgan moves, seconded by Representative Oldham that the House adjourn, subject to the receipt of Messages from the Senate, ratification of bills, and the receipt of Conference Reports, to reconvene August 22 at 10:00 a.m.

The motion carries.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

S.B. 490, AN ACT TO AUTHORIZE THE DIRECTOR OF THE BUDGET TO CONTINUE EXPENDITURES FOR THE OPERATION OF GOVERNMENT AT THE LEVEL IN EFFECT ON JUNE 30, 1997, AND TO EXTEND EXPIRING PROVISIONS OF LAW ON THE SENTENCING COMMISSION, FICTITIOUS LICENSES AND REGISTRATION PLATES ON PUBLICLY OWNED MOTOR VEHICLES, LOWER NEUSE RIVER BASIN ASSOCIATION FUNDS, AND BEAVER DAMAGE CONTROL FUNDS.

S.B. 299, AN ACT TO PROVIDE LONG-TERM CARE BENEFITS FOR QUALIFIED EMPLOYEES, RETIRED EMPLOYEES, AND THEIR DEPENDENTS UNDER THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN.

S.B. 372, AN ACT TO AMEND, FOR SERVICE IN A CIVIL ACTION UPON A DEFENDANT LOCATED OUTSIDE THE UNITED STATES, THE TIME LIMITS REGARDING THE SECURING OF AN ENDORSEMENT UPON THE ORIGINAL SUMMONS OR THE SUING OUT OF AN ALIAS OR PLURIES SUMMONS WHEN THE DEFENDANT IS NOT SERVED WITHIN THE TIME ALLOWED FOR SERVICE AND TO VALIDATE NOTARIAL ACTS PERFORMED BY CERTAIN NOTARIES BEFORE JUNE 1, 1997.

S.B. 441, AN ACT TO INCREASE THE AMOUNT ALLOCATED TO SHERIFFS FROM THE FEES CHARGED FOR CONCEALED HANDGUN APPLICATIONS AND RENEWALS.

S.B. 627, AN ACT TO CLARIFY AND EXPAND THE CLASSIFICATION OF PERSONS WHO MAY OBTAIN A DOMESTIC VIOLENCE

PROTECTIVE ORDER; TO CLARIFY THE CIRCUMSTANCES UNDER WHICH MAGISTRATES MAY ISSUE PROTECTIVE ORDERS; AND TO IMPOSE A CRIMINAL PENALTY FOR VIOLATION OF A PROTECTIVE ORDER.

H.B. 1064, AN ACT TO ALLOW A HOUSING AUTHORITY TO TERMINATE OR FAIL TO RENEW A LEASE IF A TENANT ENGAGES IN CRIMINAL ACTIVITY, TO ALLOW CERTAIN SUMMARY EJECTMENT ACTIONS INITIATED BY A HOUSING AUTHORITY TO BE HELD IN DISTRICT COURT INSTEAD OF IN MAGISTRATE'S COURT, AND TO CLARIFY THAT A BOND IS NOT REQUIRED BEFORE FILING AN ANSWER IN A SUMMARY EJECTMENT PROCEEDING.

ENROLLED BILL

The following bill is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 637, AN ACT TO PROVIDE STAGGERED TERMS FOR THE TOWN OF BROADWAY.

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
August 21, 1997

Mr. Speaker:

It is ordered that a message be sent your Honorable Body respectfully notifying you the Senate has confirmed the appointment by the Governor, pursuant to G. S. 106-2, of WILLIAM EARL HOLLIDAY, PEGGY LAUGHTER, THOMAS S. EDWARDS AND HYMAN YOUNG, JR., to the North Carolina State Board of Agriculture for terms beginning immediately and expiring on May 1, 2003.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE**1997 GENERAL ASSEMBLY**

Senate Chamber

August 21, 1997

Mr. Speaker:

It is ordered that a message be sent your Honorable Body respectfully notifying you the Senate has confirmed the appointment by the Governor, pursuant to G.S. 135-6, of SGT. MICHAEL L. DUPREE, IVAN HILL, MANA B. JOHNSON AND CAROL ANN-TUCKER to the Board of Trustees of the Teachers' and State Employees Retirement System for terms beginning immediately and expiring on June 30, 2001.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE**1997 GENERAL ASSEMBLY**

Senate Chamber

August 21, 1997

Mr. Speaker:

On **H.B. 437** (Committee Substitute), A BILL TO BE ENTITLED AN ACT CHANGING THE METHOD FOR APPOINTMENT OF MEMBERS OF THE PILOT MOUNTAIN CIVIC AND RECREATION CENTER AUTHORITY, which Senate Amendment No. 1 proposes to change the title, upon concurrence, to read **H.B. 437** (Committee Substitute), A BILL TO BE ENTITLED AN ACT CHANGING THE METHOD FOR APPOINTMENT OF MEMBERS OF THE PILOT MOUNTAIN CIVIC AND RECREATION CENTER AUTHORITY AND AUTHORIZING THE TOWNS OF CORNELIUS, DAVIDSON, HUNTERSVILLE, AND NAGS HEAD TO ADOPT ORDINANCES REGULATING REMOVAL, REPLACEMENT, AND PRESERVATION OF TREES WITHIN THE TOWNS, it is ordered that a message be sent to the House of

Representatives with the information that the Senate adopts the report of the conferees to the end that when a similar action has been taken on the part of your Honorable Body, the Speaker may order the bill enrolled.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

The Speaker orders the bill enrolled.

The House stands adjourned at 2:45 p.m.

ONE HUNDRED NINETEENTH DAY

HOUSE OF REPRESENTATIVES
Friday, August 22, 1997

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain. (The first section is the prayer offered by Reverend Harry's son at dinner the previous night.)

"Dear God, uhh? Thank You for Mommies and Daddies. Thank You for our food. Thank You for our friends that love us. Thank You for my grandparents who like to spoil me. Help us to love You and to be kind to each other so we don't get yelled at or stuff like that. And, thank You for our family being together for dinner tonight. Amen.

"Almighty God, through the eyes of our children we can indeed, see the sincerity and the simplicity of life. Through their humble voices, we have the opportunity to catch a glimpse of what is really important in the scheme of things. Most Merciful God, grant that we can leave this place with a renewed understanding of life's priorities. Open our ears to hear the plainspoken sincerity of a child's prayer and through it...change our lives. Where there is anger, temper it with kindness. Where there is sadness, offer us hope. Where there is hurt, heal with Thy compassion. Where there is stalemate, break it with Thy power. Give us the pure hearts of children

who, in more ways than one, show us the true path to the kingdom of heaven. Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of August 21 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (98-2).

Leaves of absence are granted Representatives Black, Culpepper, Cunningham, Gamble, Goodwin, Kinney, Luebke, McAllister, Miller, Moore, and Mosley for today.

BILL PRESENTED TO THE GOVERNOR

The following bill is duly ratified and presented to the Governor:

S.B. 455, AN ACT TO IMPROVE HMO SERVICES BY PROTECTING PHYSICIAN COMMUNICATIONS REGARDING TREATMENT, REQUIRING COVERAGE FOR EMERGENCY CARE, REDUCING THE APPROVAL PERIOD FOR RATE FILINGS, AND PROMOTING COLLABORATION BETWEEN HMOS AND PUBLIC HEALTH DEPARTMENTS.

ENROLLED BILL

The following bill is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 437, AN ACT CHANGING THE METHOD FOR APPOINTMENT OF MEMBERS OF THE PILOT MOUNTAIN CIVIC AND RECREATION CENTER AUTHORITY AND AUTHORIZING THE TOWNS OF CORNELIUS, DAVIDSON, HUNTERSVILLE, AND NAGS HEAD TO ADOPT ORDINANCES REGULATING REMOVAL, REPLACEMENT, AND PRESERVATION OF TREES WITHIN THE TOWNS.

CHAPTERED BILL

The following bill is properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

S.B. 327, AN ACT TO MAKE TECHNICAL CHANGES TO THE GENERAL STATUTES GOVERNING THE DEPARTMENT OF

CULTURAL RESOURCES AND THE NORTH CAROLINA HISTORICAL COMMISSION. (S.L. 1997-411)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Howard and Aldridge, Co-Chairs, for the Committee on Human Resources:

Committee Substitute for **S.B. 851**, A BILL TO BE ENTITLED AN ACT REGARDING ADULT CARE HOME LICENSES, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representatives Gray, Brawley, Dickson, and C. Wilson, Co-Chairs, for the Committee on Finance:

Committee Substitute for **S.B. 1065**, A BILL TO BE ENTITLED AN ACT TO EXPAND THE INCOME TAX EXCLUSION FOR SEVERANCE PAY TO INCLUDE SEVERANCE PAY DUE TO AN EMPLOYEE'S INVOLUNTARY TERMINATION THROUGH NO FAULT OF THE EMPLOYEE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

Senate Committee Substitute for **H.B. 566**, A BILL TO BE ENTITLED AN ACT EXEMPTING THE WAKE COUNTY PUBLIC SCHOOL SYSTEM FROM DEVELOPMENT CHARGES RELATED TO THE CONSTRUCTION, RENOVATION, AND REPAIR OF PUBLIC SCHOOL SYSTEM INFRASTRUCTURE FACILITIES IN WAKE COUNTY AND THE MUNICIPALITIES THEREIN, is returned for concurrence in Senate

committee substitute and referred to the Committee on Rules, Calendar, and Operations of the House.

Upon concurrence, the Senate committee substitute changes the title.

CONFIRMATION OF STATE PERSONNEL COMMISSION APPOINTMENTS

On motion of Representative Morgan, the House confirms the appointments of Mr. Stephen Davis, Ms. Becky Keith, Mr. Tom Miriello, and Mr. Garey Ballance to the State Personnel Commission by electronic vote (101-0).

The Senate is so notified by Special Message of the action taken by the House.

CONFERENCE REPORT

Representative Bowie moves the adoption of the following Conference Report.

Senate Committee Substitute for H.B. 183

To: The President of the Senate

The Speaker of the House of Representatives

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 183, A BILL TO BE ENTITLED AN ACT TO INCLUDE PRIOR IMPAIRED DRIVING CONVICTIONS IN FELONY PRIOR RECORD LEVEL CALCULATION, AND TO PROVIDE FOR AN INDEFINITE CIVIL SUSPENSION OF A DRIVERS LICENSE WHEN A DRIVER IS CHARGED WITH AN IMPAIRED DRIVING OFFENSE WHILE ANOTHER IMPAIRED DRIVING OFFENSE IS PENDING DISPOSITION, 3rd Edition, Senate Judiciary Committee Substitute Adopted 8/4/97, submit the following report:

The Senate and House agree to the following amendment to the 3rd Edition, Senate Judiciary Committee Substitute Adopted 8/4/97, and the House concurs in the Senate Committee Substitute as amended:

Delete the entire 3rd Edition, Senate Judiciary Committee Substitute Adopted 8/4/97, and substitute the attached Proposed Conference Committee Substitute H183-PCCS1455.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: August 21, 1997.

*Conferees for the
Senate*

S/ R. A. Cooper, III, Chairman
S/ James S. Forrester
S/ Jim W. Phillips, Sr.

*Conferees for the
House of Representatives*

S/ Joanne W. Bowie, Chair
S/ Daniel F. McComas
S/ C. B. Neely, Jr.
S/ Warren C. Oldham

The Conference Report, which changes the title, is adopted, by electronic vote (104-0), and the Senate is so notified by Special Message. (The Conference Committee Substitute may be found in its entirety in the Appendix.)

CONFERENCE REPORT

On motion of Representative Morgan and without objection, the Conference Report for House Committee Substitute No. 3 for **S.B. 157, A BILL TO BE ENTITLED AN ACT TO EXPAND THE TIME CORPORATIONS AND LIMITED LIABILITY COMPANIES MAY APPLY FOR REINSTATEMENT FROM ADMINISTRATIVE DISSOLUTION, TO AMEND THE LAW GOVERNING DISSENTERS' RIGHTS PROCEDURES AND THE FILING OF DOCUMENTS BY LIMITED LIABILITY COMPANIES, TO ALLOW FACSIMILE SIGNATURES AND ADVISORY REVIEW OF DOCUMENTS BY THE SECRETARY OF STATE, AND TO CLARIFY CORRECTIONS PROCEDURES, LIMITED LIABILITY NAME AVAILABILITY, AND THE DEFINITION OF FOREIGN PROFESSIONAL CORPORATIONS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION AND OTHERS, AND TO AUTHORIZE THE CREATION OF SINGLE MEMBER LIMITED LIABILITY COMPANIES, TO ALLOW A PARENT CORPORATION TO BE MERGED INTO ITS SUBSIDIARY CORPORATION IN CERTAIN CIRCUMSTANCES, TO REMOVE THE REQUIREMENT THAT A PUBLIC CORPORATION MUST WAIT THIRTY DAYS BEFORE IT CAN FILE ITS ARTICLES OF MERGER WITH THE SECRETARY OF STATE, TO INCREASE THE FEES FOR THE FILING OF CERTAIN DOCUMENTS, AND TO PROVIDE THAT ANNUAL REPORTS OF MOST BUSINESS CORPORATIONS AND LIMITED LIABILITY COMPANIES SHALL BE FILED WITH THE**

DEPARTMENT OF REVENUE RATHER THAN THE SECRETARY OF STATE, is withdrawn from today's Calendar and placed on the Calendar of August 25.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 568**, A BILL TO BE ENTITLED AN ACT CONCERNING SATELLITE ANNEXATIONS BY THE TOWN OF WAKE FOREST.

The House concurs in the material Senate committee substitute, which changes the title, on its third roll call reading, by the following vote, and the bill is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Cole, Crawford, Creech, Culp, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gardner, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kiser, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miner, Mitchell, Morgan, Morris, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Wood, Wright, and Yongue - 102.

Voting in the negative: Representative Hardy.

Excused absences: Representatives Black, Culpepper, Cunningham, Goodwin, Kinney, Luebke, McAllister, Miller, Moore, and Mosley - 10.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 624**, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF SEDALIA AND TO ANNEX A DESCRIBED AREA TO THE TOWN OF CHADBOURN.

On motion of Representative Capps, Committee Amendment No. 1 is adopted by electronic vote (101-0). This amendment changes the title.

Representative Decker states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (102-0).

Representative Allred offers Amendment No. 2.

On motion of the Chair, the bill with pending amendment is temporarily displaced.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 424**, A BILL TO BE ENTITLED AN ACT CONCERNING ANNEXATION OF NONCONTIGUOUS AREAS BY THE TOWNS OF APEX, FUQUAY-VARINA, KNIGHTDALE, RALEIGH, AND WAKE FOREST, TO PROVIDE STAGGERED TERMS FOR THE TOWN OF BROADWAY, AND TO PROVIDE THAT THE BOARD OF COMMISSIONERS OF LEE COUNTY SHALL CONSIST OF SEVEN MEMBERS ELECTED AT LARGE FOR FOUR-YEAR STAGGERED TERMS ON A NONPARTISAN BASIS AT THE TIME OF THE GENERAL ELECTION.

Representative Ellis offers Amendment No. 1.

Representative Redwine inquires of the Chair if the amendment (1) changes the title; (2) changes the bill from local to public; and (3) requires suspension of the rules for a title change. The Speaker rules (1) that the amendment does change the title and does change the bill from local to public; and (2) a suspension of the rules is not necessary because the title of a local bill can be changed on the floor.

Representative Redwine further inquires if the amendment is germane to the title. The Speaker rules that it is.

Representative Ellis calls the previous question on the amendment and the call is sustained by electronic vote (66-35).

Amendment No. 1 is adopted by electronic vote (53-49).

The Speaker votes "aye". The adjusted vote total is (54-49).

The bill is now a Public Bill.

Representative Hackney offers Amendment No. 2 which is adopted by electronic vote (101-0).

Representative Baddour moves that Rule 31(d) be suspended in order that he might offer an amendment that would change the title of the bill.

Representative Morgan calls the previous question on the motion and the call is sustained by electronic vote (53-49).

The motion to suspend the rules fails, by electronic vote (53-49) for lack of a two-thirds majority.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Brubaker; Representatives Aldridge, Allred, Arnold, Baker, Barbee, Berry, Bowie, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Crawford, Creech, Culp, Davis, Decker, Dickson, Dockham, Eddins, Ellis, Esposito, Gardner, Grady, Gulley, Hall, Hiatt, Hill, Holmes, Howard, Ives, Justus, Kiser, McComas, McCrary, McMahan, Miner, Mitchell, Morgan, Morris, Nichols, Nye, Preston, Rayfield, Reynolds, Russell, Sexton, Sherrill, Shubert, Smith, Starnes, Thompson, Warner, Watson, Weatherly, C. Wilson, G. Wilson, and Wood - 61.

Voting in the negative: Representatives Adams, Alexander, Baddour, Beall, Blue, Bonner, Boyd-McIntyre, Braswell, Cole, Daughtry, Dedmon, Earle, Easterling, Fox, Hackney, Hardaway, Hensley, Hightower, H. Hunter, R. Hunter, Hurley, Insko, Jarrell, Jeffus, McCombs, Mercer, Michaux, Neely, Nesbitt, Oldham, Owens, Ramsey, Redwine, Rogers, Saunders, Sutton, Tolson, Wainwright, Warwick, Wilkins, Wright, and Yongue - 42.

Excused absences: Representatives Black, Culpepper, Cunningham, Gamble, Goodwin, Kinney, Luebke, McAllister, Miller, Moore, and Mosley - 11.

Representative Hardy requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (62-42).

Committee Substitute for **S.B. 624**, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF SEDALIA AND TO ANNEX A DESCRIBED AREA TO THE TOWN OF CHADBURN, which was temporarily displaced with Amendment No. 2 pending, is before the Body.

Representative Blue requests that he be excused from voting on this bill, under Rule 24.1A, and this request is granted.

Representative Boyd-McIntyre inquires of the Chair if the amendment is material. The Chair rules that it is.

Representative Allred calls the previous question on the amendment and the call is sustained by electronic vote (66-32).

Amendment No. 2 is adopted by the following vote.

Those voting in the affirmative are: Representatives Aldridge, Allred, Arnold, Baker, Barbee, Berry, Brown, Buchanan, Cansler, Capps, Carpenter, Cole, Crawford, Creech, Culp, Daughtry, Davis, Dockham, Eddins, Ellis, Esposito, Gardner, Grady, Gulley, Hall, Hardy, Hiatt, Hill, Holmes, Howard, Justus, Kiser, McCombs, McMahan, Mitchell, Morgan, Morris, Neely, Nichols, Nye, Owens, Preston, Rayfield, Reynolds, Sexton, Sherrill, Shubert, Starnes, Warner, Watson, G. Wilson, Wood, and Wright - 53.

Voting in the negative: Representatives Adams, Alexander, Baddour, Beall, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Church, Decker, Dedmon, Dickson, Earle, Easterling, Fox, Gray, Hackney, Hardaway, Hensley, Hightower, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, McComas, McCrary, Mercer, Michaux, Miner, Nesbitt, Oldham, Ramsey, Redwine, Rogers, Russell, Saunders, Smith, Sutton, Thompson, Tolson, Wainwright, Warwick, Weatherly, Wilkins, C. Wilson, and Yongue - 50.

Excused vote: Representative Blue.

Excused absences: Representatives Black, Culpepper, Cunningham, Gamble, Goodwin, Kinney, Luebke, McAllister, Miller, Moore, and Mosley - 11.

The adoption of material Amendment No. 2 constitutes its first reading and the bill remains on the Calendar.

Representative Wright requests and is granted permission to change his vote from "aye" to "no". The adjusted vote total is (52-51).

PERMISSION GRANTED

Pursuant to Rule 28(e), the Speaker grants permission for Conference Committees to meet while the House is not in session.

CONFERENCE REPORT

Representative Neely sends forth the Conference Report on House Committee Substitute for **S.B. 264**, A BILL TO BE ENTITLED AN ACT TO PROVIDE IMMUNITY TO EMPLOYERS WHO DISCLOSE INFORMATION ABOUT AN EMPLOYEE WHEN THE EMPLOYER IS PROVIDING A REFERENCE. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of August 25.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

Senate Committee Substitute for **H.B. 1137**, A BILL TO BE ENTITLED AN ACT TO CREATE A SPECIAL LICENSE PLATE TO PROMOTE SOIL AND WATER CONSERVATION AND TO PROVIDE THAT A PORTION OF THE SALES REVENUE GOES TO FUND WATER QUALITY AND ENVIRONMENTAL EDUCATION, is returned for concurrence in Senate committee substitute and placed on the Calendar of August 25.

SPECIAL MESSAGE FROM THE SENATE**1997 GENERAL ASSEMBLY**

Senate Chamber
August 22, 1997

Mr. Speaker:

On **S.B. 157** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING DISSENTERS' RIGHTS PROCEDURES AND THE FILING OF DOCUMENTS BY LIMITED LIABILITY COMPANIES, TO ALLOW FACSIMILE SIGNATURES AND ADVISORY REVIEW OF DOCUMENTS BY THE SECRETARY OF STATE, AND TO CLARIFY CORRECTIONS PROCEDURES, LIMITED LIABILITY NAME AVAILABILITY, AND THE DEFINITION OF FOREIGN PROFESSIONAL CORPORATIONS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, which House Committee Substitute bill No. 3 proposes to change the title, upon concurrence, to read **S.B. 157** (House Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO EXPAND THE TIME CORPORATIONS AND LIMITED

LIABILITY COMPANIES MAY APPLY FOR REINSTATEMENT FROM ADMINISTRATIVE DISSOLUTION, TO AMEND THE LAW GOVERNING DISSENTERS' RIGHTS PROCEDURES AND THE FILING OF DOCUMENTS BY LIMITED LIABILITY COMPANIES, TO ALLOW FACSIMILE SIGNATURES AND ADVISORY REVIEW OF DOCUMENTS BY THE SECRETARY OF STATE, AND TO CLARIFY CORRECTIONS PROCEDURES, LIMITED LIABILITY NAME AVAILABILITY, AND THE DEFINITION OF FOREIGN PROFESSIONAL CORPORATIONS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION AND OTHERS, AND TO AUTHORIZE THE CREATION OF SINGLE MEMBER LIMITED LIABILITY COMPANIES, TO ALLOW A PARENT CORPORATION TO BE MERGED INTO ITS SUBSIDIARY CORPORATION IN CERTAIN CIRCUMSTANCES, TO REMOVE THE REQUIREMENT THAT A PUBLIC CORPORATION MUST WAIT THIRTY DAYS BEFORE IT CAN FILE ITS ARTICLES OF MERGER WITH THE SECRETARY OF STATE, TO INCREASE THE FEES FOR THE FILING OF CERTAIN DOCUMENTS, AND TO PROVIDE THAT ANNUAL REPORTS OF MOST BUSINESS CORPORATIONS AND LIMITED LIABILITY COMPANIES SHALL BE FILED WITH THE DEPARTMENT OF REVENUE RATHER THAN THE SECRETARY OF STATE, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees and the title becomes **S.B. 157** (House Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO EXPAND THE TIME CORPORATIONS AND LIMITED LIABILITY COMPANIES MAY APPLY FOR REINSTATEMENT FROM ADMINISTRATIVE DISSOLUTION, TO AMEND THE LAW GOVERNING DISSENTERS' RIGHTS PROCEDURES AND THE FILING OF DOCUMENTS BY LIMITED LIABILITY COMPANIES, TO ALLOW FACSIMILE SIGNATURES AND ADVISORY REVIEW OF DOCUMENTS BY THE SECRETARY OF STATE, AND TO CLARIFY CORRECTIONS PROCEDURES, LIMITED LIABILITY NAME AVAILABILITY, AND THE DEFINITION OF FOREIGN PROFESSIONAL CORPORATIONS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION AND OTHERS, AND TO AUTHORIZE THE CREATION OF SINGLE MEMBER LIMITED LIABILITY COMPANIES, TO ALLOW A PARENT CORPORATION TO BE MERGED INTO ITS SUBSIDIARY CORPORATION IN CERTAIN CIRCUMSTANCES, TO REMOVE THE REQUIREMENT THAT A PUBLIC CORPORATION MUST WAIT THIRTY DAYS BEFORE IT CAN FILE ITS ARTICLES OF MERGER WITH THE SECRETARY OF STATE, TO INCREASE THE FEES FOR THE FILING OF CERTAIN DOCUMENTS, to the end that when a similar

action has been taken on the part of your Honorable Body, the President will order the bill enrolled.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
August 22, 1997

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute bill to **S.B. 343**, A BILL TO BE ENTITLED AN ACT RELATING TO THE DUTIES OF COMMISSIONERS OF THE MID-EAST REGIONAL HOUSING AUTHORITY UNDER THE PROVISIONS OF ARTICLE 1 OF CHAPTER 157 OF THE GENERAL STATUTES, which House Committee Substitute bill proposes to change the title, upon concurrence, to read **S.B. 343** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO THE DUTIES OF HOUSING AUTHORITY COMMISSIONERS UNDER THE PROVISIONS OF ARTICLE 1 OF CHAPTER 157 OF THE GENERAL STATUTES AND TO EXEMPT THE COUNTY OF DARE AND THE TOWN OF MANTEO FROM CERTAIN REQUIREMENTS FOR PUBLIC CONTRACTS, and requests conferees. The President Pro Tempore appoints:

Senator Hoyle, Chairman
Senator Miller
Senator Carrington

on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE**1997 GENERAL ASSEMBLY**

Senate Chamber

August 22, 1997

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute bill to **S.B. 683**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DURHAM CITY COUNCIL TO DELEGATE TO THE CITY MANAGER THE AUTHORITY TO APPROVE THE PAYMENT OF FACILITIES FEES IN INSTALLMENTS, which House Committee Substitute proposes to change the title, upon concurrence, to read **S.B. 683** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DURHAM CITY COUNCIL TO DELEGATE TO THE CITY MANAGER THE AUTHORITY TO APPROVE THE PAYMENT OF FACILITIES FEES IN INSTALLMENTS, TO AUTHORIZE THE CITY OF BURLINGTON TO DISPOSE OF CERTAIN PROPERTY BY PRIVATE SALE, AND CONCERNING ZONING IN ALAMANCE COUNTY, and requests conferees. The President Pro Tempore appoints:

Senator Lucas, Chairman

Senator Jordan

Senator Hartsell

Senator Shaw of Cumberland

on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,

S/ Janet B. Pruitt

Principal Clerk

SPECIAL MESSAGE FROM THE SENATE**1997 GENERAL ASSEMBLY**

Senate Chamber

August 22, 1997

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute bill to **S.B. 725** (Committee Substitute), A BILL TO BE ENTITLED AN ACT PERTAINING TO THE FILING OF A DEFERRED CHARGE WITH EEOC OR THE OFFICE OF ADMINISTRATIVE HEARINGS BY STATE OR LOCAL GOVERNMENT EMPLOYEES, which House Committee Substitute bill proposes to change the title, upon concurrence, to read **S.B. 725** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING CHAPTER 143 OF THE GENERAL STATUTES TO PROVIDE FOR AN INCENTIVE BONUS PROGRAM TO RECOGNIZE AND REWARD THE COST-SAVING AND REVENUE-INCREASING INITIATIVES AND INNOVATIONS OF STATE EMPLOYEE and requests conferees. The President Pro Tempore appoints:

Senator Miller, Chairman

Senator Reeves

Senator Hartsell

on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,

S/ Janet B. Pruitt

Principal Clerk

Representative Morgan moves, seconded by Representative Sherrill that the House adjourn, subject to the receipt of Messages from the Senate, the receipt of Conference Reports, the ratification of bills, the appointment of conferees, and in memory of Mason Summers Peters, III, to reconvene Monday, August 25, 1997, at 6:00 p.m.

Without objection, the motion carries.

The House stands adjourned at 6:30 p.m.

ONE HUNDRED TWENTIETH DAY**HOUSE OF REPRESENTATIVES**

Monday, August 25, 1997

The House meets at 6:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain.

"Patient God, how long must we run around in circles trying to fix things ourselves before You become frustrated with us? How long, O Lord, before Thy countenance is taken from us? We are back again to face another round of discussions, meetings, compromises, and posturing. Grant to the leaders of the House and the Senate, O God who created the universe in just seven days, the wisdom to make clear, wise, and beneficial decisions regarding the budget stalemate. Help them to turn their eyes upward toward heaven and see that they can indeed come to agreements that will be acceptable to all people. Where there is political posturing that may be interpreted as possibly being used against others in light of future election considerations, break the hard hearts of stone of those who worry about tomorrow before taking care of today's business. In the end, Most Merciful God, help us to see and understand in the light of Your grace, that despite all of our efforts to forge our way through life without You, You never leave us nor forsake us. You will never abandon us to our own demise. Your presence with us is Your promise to us. Let us find comfort and assurance in the light of these words which we hold to be true, and may our hearts find radical transformation as we seek to serve Thee. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of August 22 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (86-1).

Leaves of absence are granted Representatives Hightower and Rogers for today. Representative R. Hunter is excused for a portion of the session.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

S.B. 253, AN ACT TO REQUIRE THE REGISTRATION OF TELEPHONIC SELLERS IN NORTH CAROLINA, AND TO MAKE THE OFFERING OF TELEPHONE SALES RECOVERY SERVICES A CRIMINAL OFFENSE.

S.B. 583, AN ACT TO REQUIRE PHYSICIANS TO COMPLETE NOT TO EXCEED ONE HUNDRED FIFTY HOURS OF CONTINUING EDUCATION, TO REQUIRE PHYSICIANS TO REGISTER ANNUALLY WITH THE NORTH CAROLINA MEDICAL BOARD, TO AMEND THE LAW GOVERNING REPORTING OF SUSPENSIONS OF PHYSICIAN PRIVILEGES WITH RESPECT TO COMPLETION OF MEDICAL RECORDS, TO MAKE A TECHNICAL CHANGE IN THE PRACTICE OF MEDICINE ACT, AND TO IMPROVE NORTH CAROLINA'S PUBLIC HEALTH SERVICE CAPACITY BY AUTHORIZING APPROVAL OF NONPROFIT HEALTH CARE FACILITIES TO SERVE SOME OF THE DENTAL NEEDS OF LOW-INCOME POPULATIONS AND BY AUTHORIZING THE EMPLOYMENT OF DENTISTS, DENTAL STUDENTS, AND DENTAL INTERNS BY THOSE FACILITIES.

S.B. 973, AN ACT TO REQUIRE HEALTH BENEFIT PLANS TO PROVIDE CERTAIN INFORMATION.

H.B. 469, AN ACT TO CREATE A REINSTATEMENT FEE FOR PERMITS SUSPENDED FOR FAILURE TO PAY PERMIT FEES.

ENROLLED BILL

The following bill is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 568, AN ACT CONCERNING SATELLITE ANNEXATIONS BY THE TOWN OF WAKE FOREST AND CONCERNING A SATELLITE ANNEXATION BY THE TOWN OF BEAUFORT.

CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

S.B. 862, AN ACT TO PROVIDE GREATER FLEXIBILITY TO THE UNIVERSITY OF NORTH CAROLINA AND OTHER AGENCIES IN NEGOTIATING CERTAIN CONTRACTS AND CAPITAL PROJECTS, TO INCREASE THE BENCHMARK FOR PURCHASES BY THE

UNIVERSITY OF NORTH CAROLINA AND OTHER STATE AGENCIES, AND TO AUTHORIZE EMPLOYEE PAYROLL DEDUCTIONS FOR CERTAIN DISCRETIONARY PRIVILEGES OF UNIVERSITY SERVICE AT THE UNIVERSITY OF NORTH CAROLINA. (S.L. 1997-412)

H.B. 590, AN ACT TO AMEND THE CHARTER OF THE TOWN OF WILSON'S MILLS TO DESCRIBE THE TOWN'S BOUNDARIES. (S.L. 1997-413)

H.B. 699, AN ACT TO GRANT AUTHORITY TO THE CITY OF GREENVILLE AND THE TOWNS OF BETHEL, FARMVILLE, AND NEWPORT TO ADDRESS ABANDONED STRUCTURES IN THE SAME MANNER AS MUNICIPALITIES IN COUNTIES WITH A POPULATION OF OVER ONE HUNDRED SIXTY-THREE THOUSAND. (S.L. 1997-414)

H.B. 836, AN ACT TO CREATE THE NEW HANOVER INTERNATIONAL AIRPORT ECONOMIC DEVELOPMENT ZONE. (S.L. 1997-415)

H.B. 637, AN ACT TO PROVIDE STAGGERED TERMS FOR THE TOWN OF BROADWAY. (S.L. 1997-416)

H.B. 1231, AN ACT TO AUTHORIZE SUPPLEMENTAL SOURCES OF REVENUE FOR LOCAL GOVERNMENT TRANSIT FINANCING. (S.L. 1997-417)

S.B. 490, AN ACT TO AUTHORIZE THE DIRECTOR OF THE BUDGET TO CONTINUE EXPENDITURES FOR THE OPERATION OF GOVERNMENT AT THE LEVEL IN EFFECT ON JUNE 30, 1997, AND TO EXTEND EXPIRING PROVISIONS OF LAW ON THE SENTENCING COMMISSION, FICTITIOUS LICENSES AND REGISTRATION PLATES ON PUBLICLY OWNED MOTOR VEHICLES, LOWER NEUSE RIVER BASIN ASSOCIATION FUNDS, AND BEAVER DAMAGE CONTROL FUNDS. (S.L. 1997-418)

S.B. 439, AN ACT TO CONFORM THE NORTH CAROLINA SECURITIES ACT AND THE INVESTMENT ADVISERS ACT TO THE NATIONAL SECURITIES MARKETS IMPROVEMENT ACT OF 1996. (S.L. 1997-419)

H.B. 437, AN ACT CHANGING THE METHOD FOR APPOINTMENT OF MEMBERS OF THE PILOT MOUNTAIN CIVIC AND RECREATION

CENTER AUTHORITY AND AUTHORIZING THE TOWNS OF CORNELIUS, DAVIDSON, HUNTERSVILLE, AND NAGS HEAD TO ADOPT ORDINANCES REGULATING REMOVAL, REPLACEMENT, AND PRESERVATION OF TREES WITHIN THE TOWNS. (S.L. 1997-420)

S.B. 597, AN ACT TO ALLOW PHYSICIANS PRACTICING PSYCHIATRY AND PSYCHOLOGISTS TO FORM PROFESSIONAL CORPORATIONS WITH LICENSED PROFESSIONAL COUNSELORS. (S.L. 1997-421)

S.B. 442, AN ACT TO ENSURE THAT PUBLIC SCHOOL STUDENTS RECEIVE ACCURATE INSTRUCTION ON OUR AMERICAN HISTORY. (S.L. 1997-422)

H.B. 35, AN ACT TO EXTEND THE TIME ALLOWED FOR CLAIMING SALES TAX REFUNDS, MOTOR FUEL TAX REFUNDS, AND ALTERNATIVE FUEL TAX REFUNDS, AND TO PROVIDE THAT A MOTOR FUEL TAX REFUND IS NET OF THE SALES TAX DUE ON THE FUEL. (S.L. 1997-423)

S.B. 861, AN ACT AMENDING THE DISPENSING OPTICIANS ACT. (S.L. 1997-424)

S.B. 833, AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA. (S.L. 1997-425)

H.B. 495, AN ACT TO ADDRESS NORTH CAROLINA'S URGENT INFRASTRUCTURE NEEDS BY CLARIFYING THAT THE NORTH CAROLINA UTILITIES COMMISSION MAY ESTABLISH DIFFERENT RATES FOR NATURAL GAS SERVICE TO UNSERVED COUNTIES THAT REFLECT THE COST OF PROVIDING SERVICE TO THE UNSERVED COUNTIES AND AUTHORIZING THE CREATION OF NATURAL GAS DISTRICTS FOR NATURAL GAS EXPANSION. (S.L. 1997-426)

S.B. 812, AN ACT TO PROVIDE FOR SPECIAL REGISTRATION PLATES FOR SUPPORTERS OF THE GREAT SMOKY MOUNTAINS NATIONAL PARK. (S.L. 1997-427)

S.B. 884, AN ACT AUTHORIZING THE DEPARTMENT OF TRANSPORTATION TO ESTABLISH A STATE INFRASTRUCTURE BANK. (S.L. 1997-428)

S.B. 699, AN ACT TO PROVIDE THAT THE PLACE OF BUSINESS OF A MOTOR VEHICLE DEALER WHO SELLS ONLY TRAILERS OR SEMITRAILERS DOES NOT HAVE TO MEET THE REQUIREMENTS SET FOR AN ESTABLISHED OFFICE OR SALESROOM OF A MOTOR VEHICLE DEALER. (S.L. 1997-429)

S.B. 297, AN ACT TO AMEND THE LAWS GOVERNING CHARTER SCHOOLS. (S.L. 1997-430)

S.B. 53, AN ACT TO ADJUST ADMINISTRATIVE PENALTIES FOR ADULT CARE HOMES AND NURSING HOMES WHICH ARE FOUND TO BE IN VIOLATION OF APPLICABLE STATE AND FEDERAL LAWS AND REGULATIONS. (S.L. 1997-431)

CONFERENCE REPORT

Representative Neely moves the adoption of the following Conference Report.

House Committee Substitute No. 3 for S.B. 157

To: The President of the Senate

The Speaker of the House of Representatives

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 157, A BILL TO BE ENTITLED AN ACT TO EXPAND THE TIME CORPORATIONS AND LIMITED LIABILITY COMPANIES MAY APPLY FOR REINSTATEMENT FROM ADMINISTRATIVE DISSOLUTION, TO AMEND THE LAW GOVERNING DISSENTERS' RIGHTS PROCEDURES AND THE FILING OF DOCUMENTS BY LIMITED LIABILITY COMPANIES, TO ALLOW FACSIMILE SIGNATURES AND ADVISORY REVIEW OF DOCUMENTS BY THE SECRETARY OF STATE, AND TO CLARIFY CORRECTIONS PROCEDURES, LIMITED LIABILITY NAME AVAILABILITY, AND THE DEFINITION OF FOREIGN PROFESSIONAL CORPORATIONS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION AND OTHERS, AND TO AUTHORIZE THE CREATION OF SINGLE MEMBER LIMITED LIABILITY COMPANIES, TO ALLOW A PARENT CORPORATION TO BE MERGED INTO ITS SUBSIDIARY CORPORATION IN CERTAIN CIRCUMSTANCES, TO REMOVE THE REQUIREMENT THAT A PUBLIC CORPORATION MUST WAIT THIRTY DAYS BEFORE IT CAN FILE ITS ARTICLES OF MERGER WITH THE SECRETARY OF STATE, TO INCREASE

THE FEES FOR THE FILING OF CERTAIN DOCUMENTS, AND TO PROVIDE THAT ANNUAL REPORTS OF MOST BUSINESS CORPORATIONS AND LIMITED LIABILITY COMPANIES SHALL BE FILED WITH THE DEPARTMENT OF REVENUE RATHER THAN THE SECRETARY OF STATE, Sixth Edition Engrossed 8/7/97, submit the following report:

The Senate and the House of Representatives agree to the following amendments to the Sixth Edition Engrossed 8/7/97, and the Senate concurs in the Sixth Edition Engrossed 8/7/97 as amended:

on page 1, line 18 through page 2, line 2, by rewriting those lines to read: "INCREASE THE FEES FOR THE FILING OF CERTAIN DOCUMENTS.";

and on page 15, line 31 through page 22, line 18, by deleting those lines;

and by renumbering the remaining Parts and sections accordingly;

and on page 22, line 22, by deleting the number "31" and substituting the number "30";

and on page 22, lines 25-27, by rewriting the lines to read: "of this act, becomes effective September 1, 1997. Except as otherwise".

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: August 20, 1997.

*Conferees for the
Senate*

S/ Fletcher Hartsell, Jr., Chairman
S/ John H. Kerr, III
S/ R. C. Soles, Jr.

*Conferees for the
House of Representatives*

S/ N. Leo Daughtry, Chairman
S/ Philip A. Baddour, Jr.
S/ W. Dickson
S/ Edwin M. Hardy
S/ C. B. Neely, Jr.

The Conference Report, which changes the title, is adopted, by electronic vote (88-0), and the Senate is so notified by Special Message.

Representative Allred requests and is granted permission to be recorded as voting "no". The adjusted vote total is (88-1).

CONFERENCE REPORT

Representative Neely moves the adoption of the following Conference Report.

House Committee Substitute for S.B. 264

To: The President of the Senate
The Speaker of the House of Representatives

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 264, AN ACT TO PROVIDE IMMUNITY TO EMPLOYERS WHO DISCLOSE INFORMATION ABOUT AN EMPLOYEE WHEN THE EMPLOYER IS PROVIDING A REFERENCE, Second Edition, House Committee Substitute Favorable 7/3/97, submit the following report:

The Senate and House agree to the following amendments to the Second Edition, House Committee Substitute Favorable 7/3/97, and the Senate concurs in the Second Edition, House Committee Substitute Favorable 7/3/97, as amended:

on page 1, lines 19 through 21,
by rewriting the lines to read:

"(b) For purposes of this section, 'job performance' includes:

- (1) The suitability of the employee for re-employment;
- (2) The employee's skills, abilities, and traits as they may relate to suitability for future employment; and
- (3) In the case of a former employee, the reason for the employee's separation."; and

on page 2, line 2,

by deleting the word "service." and substituting the words "service but does not include a private personnel service as defined in G.S. 95-47.1 or a job listing service as defined in G.S. 95-47.19 except as provided hereinafter. The provisions of this section apply to a private personnel service as defined in G.S. 95-47.1 and a job listing service as defined in G.S. 95-47.19 only to the extent that the service conveys information derived from credit reports, court records, educational records, and information furnished to it by the employee or prior employers and the service identifies the source of the information."

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: August 22, 1997.

*Conferees for the
Senate*

S/ Roy A. Cooper, III, Chairman
S/ Hamilton Horton
S/ Leslie Winner

*Conferees for the
House of Representatives*

S/ C. B. Neely, Chair
S/ Wilma M. Sherrill
S/ David Redwine

The Conference Report is adopted, by electronic vote (94-7), and the Senate is so notified by Special Message.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 1137**, A BILL TO BE ENTITLED AN ACT TO CREATE A SPECIAL LICENSE PLATE TO PROMOTE SOIL AND WATER CONSERVATION AND TO PROVIDE THAT A PORTION OF THE SALES REVENUE GOES TO FUND WATER QUALITY AND ENVIRONMENTAL EDUCATION.

On motion of Representative Culp, the House concurs in the Senate committee substitute, by electronic vote (96-5), and the bill is ordered enrolled and presented to the Governor.

House Committee Substitute for **S.B. 516**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A STATE-ADMINISTERED LEAD-BASED PAINT HAZARD MANAGEMENT PROGRAM IN LIEU OF HAVING A FEDERALLY ADMINISTERED PROGRAM APPLY IN THIS STATE.

On motion of Representative Shubert, the bill is temporarily displaced.

House Committee Substitute No. 3 for **S.B. 826**, A BILL TO BE ENTITLED AN ACT TO PROVIDE "QUICK TAKE" PROCEDURES IN EMINENT DOMAIN PROCEEDINGS BY SCHOOL BOARDS; TO CHANGE THE TERM OF OFFICE OF THE CHARLOTTE-MECKLENBURG BOARD OF EDUCATION FROM FOUR YEARS TO TWO YEARS, SUBJECT TO A REFERENDUM; TO PROVIDE STAGGERED TERMS FOR THE TOWN OF BROADWAY; TO PROVIDE

THAT THE BOARD OF COMMISSIONERS OF LEE COUNTY SHALL CONSIST OF SEVEN MEMBERS ELECTED AT LARGE FOR FOUR-YEAR STAGGERED TERMS ON A NONPARTISAN BASIS AT THE TIME OF THE GENERAL ELECTION; TO CHANGE THE TIME OF ELECTION OF THE SURRY COUNTY BOARD OF EDUCATION FROM THE PRIMARY TO NONPARTISAN AT THE TIME OF THE GENERAL ELECTION; TO ALLOW THE HENDERSON COUNTY BOARD OF COMMISSIONERS TO REDISTRICT THEIR RESIDENCY DISTRICTS; AND TO GRANT AUTHORITY TO THE MUNICIPALITIES LOCATED IN LEE COUNTY TO ADDRESS ABANDONED STRUCTURES IN THE SAME MANNER AS MUNICIPALITIES IN COUNTIES WITH A POPULATION OF OVER ONE HUNDRED SIXTY-THREE THOUSAND.

Representative Alexander moves that Rule 31(d) be suspended in order that she might offer an amendment that would change the title.

The motion fails of a two-thirds majority by electronic vote (57-55).

Representative Baddour offers Amendment No. 1 which fails of adoption by electronic vote (52-62).

Representative Cunningham offers Amendment No. 2 which fails of adoption by electronic vote (54-61).

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Brubaker; Representatives Aldridge, Allred, Arnold, Baker, Barbee, Black, Bowie, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Creech, Culp, Culpepper, Daughtry, Davis, Dickson, Dockham, Eddins, Ellis, Esposito, Gardner, Grady, Gray, Gulley, Hall, Hardy, Hiatt, Hill, Holmes, Howard, Hurley, Ives, Justus, Kiser, McComas, McCombs, McMahan, Mercer, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nichols, Preston, Rayfield, Reynolds, Russell, Sexton, Sherrill, Shubert, Starnes, Tallent, Thompson, Tolson, Warner, Weatherly, Wilkins, C. Wilson, G. Wilson, and Wood - 68.

Voting in the negative: Representatives Adams, Alexander, Baddour, Beall, Berry, Blue, Bonner, Boyd-McIntyre, Braswell, Cole, Crawford, Cunningham, Dedmon, Earle, Easterling, Fitch, Fox, Gamble, Goodwin, Hackney, Hardaway, Hensley, H. Hunter, R. Hunter, Insko, Jarrell, Jeffus, Kinney, Luebke, McAllister, McCrary, Michaux, Miller, Nesbitt, Nye,

Oldham, Owens, Ramsey, Redwine, Smith, Sutton, Wainwright, Warwick, Wilkins, Womble, Wright, and Yongue - 47.

Excused absences: Representatives Hightower and Rogers - 2.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan and without objection, House Committee Substitute for **S.B. 929**, A BILL TO BE ENTITLED AN ACT TO ENHANCE AND IMPROVE CHILD CARE IN NORTH CAROLINA, is withdrawn from the Calendar and placed on the Calendar of August 26.

CALENDAR (continued)

House Committee Substitute for **S.B. 516**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A STATE-ADMINISTERED LEAD-BASED PAINT HAZARD MANAGEMENT PROGRAM IN LIEU OF HAVING A FEDERALLY ADMINISTERED PROGRAM APPLY IN THIS STATE, which was temporarily displaced, is before the Body.

Representative Shubert offers Amendment No. 1 which is adopted by electronic vote (114-0).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate for concurrence in House committee substitute by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Russell, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 113.

Voting in the negative: None.

Excused absences: Representatives Hightower and Rogers - 2.

Committee Substitute for **S.B. 624**, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF SEDALIA AND TO ANNEX A DESCRIBED AREA TO THE TOWN OF CHADBOURN.

Pursuant to Rule 24.1A(c), the request that Representative Blue be excused from voting on August 22 is continued.

On motion of Representative Allred, the vote by which Amendment No. 2 was adopted is reconsidered, by electronic vote (108-4).

Representative Ellis requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (109-4).

Representative Allred withdraws Amendment No. 2.

Representative Blue requests that his excuse from voting pursuant to Rule 24.1A be withdrawn.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Russell, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Weatherly, Wilkins, G. Wilson, Womble, Wood, Wright, and Yongue - 113.

Voting in the negative: None.

Excused absences: Representatives Hightower and Rogers - 2.

House Committee Substitute for **S.B. 424**, A BILL TO BE ENTITLED AN ACT CONCERNING ANNEXATION OF NONCONTIGUOUS AREAS BY THE TOWNS OF APEX, FUQUAY-VARINA, KNIGHTDALE, RALEIGH, AND WAKE FOREST, TO PROVIDE STAGGERED TERMS FOR THE TOWN OF BROADWAY, AND TO PROVIDE THAT THE BOARD OF COMMISSIONERS OF LEE COUNTY SHALL CONSIST OF SEVEN MEMBERS ELECTED AT LARGE FOR FOUR-YEAR STAGGERED TERMS ON A NONPARTISAN BASIS AT THE TIME OF THE GENERAL ELECTION, AND TO CHANGE THE ANNEXATION LAWS.

Representative Miner offers Amendment No. 3 which is adopted by electronic vote (64-49).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate for concurrence in House committee substitute by Special Message.

Those voting in the affirmative are: Representatives Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Beall, Black, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Church, Clary, Cole, Culp, Culpepper, Cunningham, Daughtry, Dedmon, Dickson, Dockham, Earle, Easterling, Esposito, Fox, Gamble, Gardner, Goodwin, Grady, Gray, Gulley, Hall, Hardaway, Hardy, Hiatt, Hill, Holmes, Howard, Hurley, Ives, Justus, Kinney, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Neely, Nesbitt, Oldham, Owens, Preston, Ramsey, Redwine, Reynolds, Russell, Sexton, Sherrill, Shubert, Smith, Sutton, Tallent, Thompson, Tolson, Wainwright, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Wright, and Yongue - 86.

Voting in the negative: Representatives Adams, Baddour, Berry, Blue, Capps, Carpenter, Crawford, Creech, Davis, Eddins, Ellis, Fitch, Hackney, Hensley, H. Hunter, R. Hunter, Insko, Jarrell, Jeffus, Kiser, Nichols, Nye, Rayfield, Starnes, Warner, and Wood - 26.

Excused absences: Representatives Hightower and Rogers - 2.

CONFEREES APPOINTED

The Speaker announces the following conferees on House Committee Substitute for **S.B. 343**, A BILL TO BE ENTITLED AN ACT RELATING TO THE DUTIES OF HOUSING AUTHORITY COMMISSIONERS

UNDER THE PROVISIONS OF ARTICLE 1 OF CHAPTER 157 OF THE GENERAL STATUTES AND TO EXEMPT THE COUNTY OF DARE AND THE TOWN OF MANTEO FROM CERTAIN REQUIREMENTS FOR PUBLIC CONTRACTS: Representative Allred, Chair; Representatives Hardy, Rogers, and Starnes.

The Senate is so notified by Special Message.

The Speaker announces the following conferees on House Committee Substitute for **S.B. 683**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DURHAM CITY COUNCIL TO DELEGATE TO THE CITY MANAGER THE AUTHORITY TO APPROVE THE PAYMENT OF FACILITIES FEES IN INSTALLMENTS, TO AUTHORIZE THE CITY OF BURLINGTON TO DISPOSE OF CERTAIN PROPERTY BY PRIVATE SALE, AND CONCERNING ZONING IN ALAMANCE COUNTY: Representative Allred, Chair; Representatives Miller and Reynolds.

The Senate is so notified by Special Message.

The Speaker announces the following conferees on House Committee Substitute for **S.B. 725**, A BILL TO BE ENTITLED AN ACT AMENDING CHAPTER 143 OF THE GENERAL STATUTES TO PROVIDE FOR AN INCENTIVE BONUS PROGRAM TO RECOGNIZE AND REWARD THE COST-SAVING AND REVENUE-INCREASING INITIATIVES AND INNOVATIONS OF STATE EMPLOYEES: Representative Cansler, Chair; Representatives Daughtry, Neely, and Michaux.

The Senate is so notified by Special Message.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committee are presented:

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

Senate Committee Substitute for **H.B. 87**, A BILL TO BE ENTITLED AN ACT TO DIRECT VARIOUS STATE OFFICERS AND OTHERS TO DEVELOP A PLAN TO ESTABLISH LOCAL INTERAGENCY AGREEMENTS TO ADDRESS THE NEEDS OF AT-RISK STUDENTS, with recommendation that the House concur.

The bill is placed on the Calendar of August 26.

Senate Committee Substitute for **H.B. 1087**, A BILL TO BE ENTITLED AN ACT TO MAKE TRESPASSING WITH A MOTORIZED ALL TERRAIN VEHICLE A MISDEMEANOR, with recommendation that the House concur.

The bill is placed on the Calendar of August 26.

Senate Committee Substitute for **H.B. 1156**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO DEVELOP A SPECIAL REGISTRATION PLATE FOR SUPPORTERS OF THE MARCH OF DIMES AND TO PROVIDE THAT A PORTION OF THE MONEY GENERATED FROM THE SPECIAL PLATES WILL BE GIVEN TO THE MARCH OF DIMES BIRTH DEFECTS FOUNDATION, with recommendation that the House concur.

The bill is placed on the Calendar of August 26.

S.B. 719, A BILL TO BE ENTITLED AN ACT TO MODIFY THE PURPOSES FOR WHICH THE GOLDSBORO ROOM OCCUPANCY TAX MAY BE USED AND TO MAKE TECHNICAL AND CONFORMING CHANGES, with a favorable report as to House committee substitute bill, unfavorable as to original bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

The House committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 841**, A BILL TO BE ENTITLED AN ACT TO ALLOW FOREIGN CORPORATIONS TO DEDUCT EXPENSES RELATED TO DEDUCTIBLE SUBSIDIARY DIVIDENDS TO THE SAME EXTENT AS NORTH CAROLINA CORPORATIONS AND TO CLARIFY THE TREATMENT OF DIVIDENDS AS BUSINESS OR NONBUSINESS INCOME, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar of August 26. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.J.R. 1087, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF CHARLES KURALT, with a favorable report.

Pursuant to Rule 36(a), the resolution is placed on the Calendar of August 26.

CONFERENCE REPORT

Representative Morgan sends forth the Conference Report on Senate Committee Substitute for **H.B. 515**, A BILL TO BE ENTITLED AN ACT TO ENACT THE ENVIRONMENTALLY SOUND POLICY ACT (ESP) AND TO PROVIDE A MENU OF MEASURES TO PROTECT HEALTH AND THE ENVIRONMENT. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of August 26.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan, House Committee Substitute for **S.B. 550**, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 89C OF THE GENERAL STATUTES TO PROVIDE THAT THE DESIGN OF LAND APPLICATION IRRIGATION SYSTEMS FOR ANIMAL WASTE MANAGEMENT SYSTEMS MAY BE PERFORMED BY IRRIGATION DESIGN TECHNICAL SPECIALISTS AND CONCERNING AGRICULTURAL BEST MANAGEMENT PRACTICES, AND CLARIFYING THAT THE ENVIRONMENTAL MANAGEMENT COMMISSION MAY REQUIRE INDIVIDUAL AS WELL AS GENERAL PERMITS FOR ANIMAL WASTE MANAGEMENT SYSTEMS, is withdrawn from the Calendar pursuant to Rule 36(a) and re-referred to the Committee on Rules, Calendar, and Operations of the House.

SUBCOMMITTEE REFERRAL

Representative Gray, Senior Ranking Member and Co-Chair, for the Standing Committee on Finance, refers House Committee Substitute for **S.B. 719**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE PURPOSES FOR WHICH THE GOLDSBORO ROOM OCCUPANCY TAX MAY BE USED AND TO MAKE TECHNICAL AND CONFORMING CHANGES, to the Permanent Subcommittee on Local, Regional, and State Revenues.

Representative Morgan moves, seconded by Representative Holmes, that the House adjourn, subject to the receipt of Messages from the Senate, the ratification of bills, and the receipt of Conference Reports, to reconvene August 26 at 10:00 a.m.

Without objection, the motion carries.

SPECIAL MESSAGE FROM THE SENATE**1997 GENERAL ASSEMBLY**

Senate Chamber

August 25, 1997

Mr. Speaker:

On **S.B. 264**, A BILL TO BE ENTITLED AN ACT TO PROVIDE LIMITED LIABILITY TO EMPLOYERS WHO DISCLOSE INFORMATION ABOUT AN EMPLOYEE WHEN THE EMPLOYER IS PROVIDING A REFERENCE, which House Committee Substitute bill proposes to change the title, upon concurrence, to read **S.B. 264** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE IMMUNITY TO EMPLOYERS WHO DISCLOSE INFORMATION ABOUT AN EMPLOYEE WHEN THE EMPLOYER IS PROVIDING A REFERENCE, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees.

Pursuant to the message that your Honorable Body has adopted the report of the conferees, the President has ordered the bill enrolled.

Respectfully,

S/ Janet B. Pruitt

Principal Clerk

The House stands adjourned at 8:49 p.m.

ONE HUNDRED TWENTY-FIRST DAY

HOUSE OF REPRESENTATIVES

Tuesday, August 26, 1997

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain.

"Most Merciful God, You have compassion for the least of those among us. You bend Your ear to hear the cries of those whose voices often get drowned out among the volume of high society. Your Spirit intercedes on behalf of those who are poor in spirit. None of us here can claim to be anything other than poor in spirit. To do so would only serve to further alienate us from You, the Source from which flows truth and justice. So, we come to Thee on bended knee and we acknowledge our finitude in the light of Your omnipotence. Grant that we might only seek to serve a little better than yesterday. Search us and know our hearts. Uproot all that is impure and guided by selfish anxiety. Affirm us when we humble ourselves to seek and do Thy favor. O Lord, You do not desire empty phrases or false echoes from our lips, but rather You desire that we would have a contrite heart that seeks to please Thee and work on Thy behalf. Grant that we might be so faithful in what we say and do. Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of August 25 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (105-1).

Leaves of absence are granted Representatives Berry, Howard, and Miller for today. Representatives Baddour, Goodwin, and Sherrill are excused for a portion of the session.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

S.B. 157, AN ACT TO EXPAND THE TIME CORPORATIONS AND LIMITED LIABILITY COMPANIES MAY APPLY FOR REINSTATEMENT FROM ADMINISTRATIVE DISSOLUTION, TO AMEND THE LAW GOVERNING DISSENTERS' RIGHTS PROCEDURES AND THE FILING OF DOCUMENTS BY LIMITED LIABILITY COMPANIES, TO ALLOW FACSIMILE SIGNATURES AND ADVISORY REVIEW OF DOCUMENTS BY THE SECRETARY OF STATE, AND TO CLARIFY CORRECTIONS PROCEDURES, LIMITED LIABILITY NAME AVAILABILITY, AND THE DEFINITION OF FOREIGN PROFESSIONAL CORPORATIONS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION AND OTHERS, AND TO AUTHORIZE THE CREATION OF SINGLE MEMBER LIMITED LIABILITY COMPANIES, TO ALLOW A PARENT CORPORATION TO BE MERGED INTO ITS SUBSIDIARY CORPORATION IN CERTAIN CIRCUMSTANCES, TO REMOVE THE REQUIREMENT THAT A PUBLIC CORPORATION

MUST WAIT THIRTY DAYS BEFORE IT CAN FILE ITS ARTICLES OF MERGER WITH THE SECRETARY OF STATE, TO INCREASE THE FEES FOR THE FILING OF CERTAIN DOCUMENTS.

S.B. 264, AN ACT TO PROVIDE IMMUNITY TO EMPLOYERS WHO DISCLOSE INFORMATION ABOUT AN EMPLOYEE WHEN THE EMPLOYER IS PROVIDING A REFERENCE.

S.B. 864, AN ACT TO CONFORM THE NORTH CAROLINA TRADEMARK REGISTRATION ACT TO THE 1992 MODEL STATE TRADEMARK BILL BY MAKING VARIOUS AMENDMENTS TO THE ACT, INCLUDING REPEALING THE REQUIREMENT THAT APPLICANTS FOR A REGISTRATION INCLUDE PROOF OF USE OF THE TRADEMARK IN NORTH CAROLINA.

H.B. 1137, AN ACT TO CREATE A SPECIAL LICENSE PLATE TO PROMOTE SOIL AND WATER CONSERVATION AND TO PROVIDE THAT A PORTION OF THE SALES REVENUE GOES TO FUND WATER QUALITY AND ENVIRONMENTAL EDUCATION.

CALENDAR

Action is taken on the following:

On motion of the Chair and without objection, Rule 5(10) is suspended and **S.J.R. 1087**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF CHARLES KURALT, is moved up on today's Calendar.

The resolution passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

CONFERENCE REPORT

Representative McComas moves the adoption of the following Conference Report.

Senate Committee Substitute for H.B. 515

To: The President of the Senate

The Speaker of the House of Representatives

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 515, A BILL TO BE ENTITLED AN ACT TO ENACT THE CLEAN WATER RESPONSIBILITY ACT, A COMPREHENSIVE AND BALANCED PROGRAM TO PROTECT WATER QUALITY, PUBLIC HEALTH, AND THE ENVIRONMENT AND TO IMPLEMENT A RECOMMENDATION OF THE GOVERNMENT PERFORMANCE AUDIT COMMITTEE TO MODIFY THE PROCEDURES CONCERNING FINAL ADMINISTRATIVE DECISIONS IN CONTESTED CASES HEARD BY THE OFFICE OF ADMINISTRATIVE HEARINGS, Fifth Edition Engrossed 6/19/97, submit the following report:

The House of Representatives concurs in the Senate Committee Substitute, Fifth Edition Engrossed 6/19/97 with the following amendment:

Delete the entire Senate Committee Substitute, Fifth Edition Engrossed 6/19/97 and substitute the attached Proposed Conference Committee Substitute H515-PCCS6321, A BILL TO BE ENTITLED AN ACT TO ENACT THE CLEAN WATER RESPONSIBILITY AND ENVIRONMENTALLY SOUND POLICY ACT, A COMPREHENSIVE AND BALANCED PROGRAM TO PROTECT WATER QUALITY, PUBLIC HEALTH, AND THE ENVIRONMENT.

And the Senate agrees to the same.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: 22 August 1997.

*Conferees for the
Senate*

S/ Beverly Perdue, Chair
S/ Anthony E. Rand
S/ Roy A. Cooper
S/ Howard N. Lee
S/ John H. Kerr, III
S/ Fountain Odom
S/ Charles W. Albertson
S/ David F. Weinstein
S/ Fletcher L. Hartsell, Jr.
S/ James M. McDaniel
S/ Allen H. Wellons

*Conferees for the
House of Representatives*

S/ Richard T. Morgan, Chair
S/ Howard J. Hunter, Jr.
S/ Cynthia B. Watson
S/ Daniel F. McComas
S/ Julia C. Howard

Pursuant to Rule 24.1A(c), the excused vote of Representative Neely from April 29 is continued.

Representative McComas calls the previous question on the motion and the call is sustained by electronic vote (58-53).

The Conference Report, which changes the title, is adopted, by electronic vote (95-19), and the Senate is so notified by Special Message. (The Conference Committee Substitute may be found in its entirety in the Appendix.)

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber

August 26, 1997

Mr. Speaker:

On **H.B. 515** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE ENVIRONMENTALLY SOUND POLICY ACT (ESP) AND TO PROVIDE A MENU OF MEASURES TO PROTECT HEALTH AND THE ENVIRONMENT, which Senate Committee Substitute proposes to change the title, upon concurrence, to read **H.B. 515** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE CLEAN WATER RESPONSIBILITY ACT, A COMPREHENSIVE AND BALANCED PROGRAM TO PROTECT WATER QUALITY, PUBLIC HEALTH, AND THE ENVIRONMENT AND TO IMPLEMENT A RECOMMENDATION OF THE GOVERNMENT PERFORMANCE AUDIT COMMITTEE TO MODIFY THE PROCEDURES CONCERNING FINAL ADMINISTRATIVE DECISIONS IN CONTESTED CASES HEARD BY THE OFFICE OF ADMINISTRATIVE HEARINGS, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees and the title becomes **H.B. 515** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE CLEAN WATER RESPONSIBILITY AND ENVIRONMENTALLY SOUND POLICY ACT, A COMPREHENSIVE AND BALANCED PROGRAM TO PROTECT WATER QUALITY, PUBLIC HEALTH, AND THE ENVIRONMENT, to the end that when a similar action has been taken on the part of your Honorable Body, the Speaker may order the bill enrolled.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

The Speaker orders the bill enrolled and presented to the Governor.

On motion of the Chair, the House recesses at 11:47 a.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

Senate Committee Substitute for **H.B. 13**, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY AND REDUCE INHERITANCE TAXES, is returned for concurrence in Senate committee substitute, and referred to the Committee on Rules, Calendar, and Operations of the House.

Upon concurrence, the Senate committee substitute changes the title.

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
August 26, 1997

Mr. Speaker:

On **H.B. 183** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCLUDE PRIOR IMPAIRED DRIVING CONVICTIONS IN FELONY PRIOR RECORD LEVEL CALCULATION, TO PROVIDE FOR AN INDEFINITE CIVIL SUSPENSION OF A DRIVERS LICENSE WHEN A DRIVER IS CHARGED WITH AN IMPAIRED DRIVING OFFENSE WHILE ANOTHER IMPAIRED DRIVING OFFENSE IS PENDING DISPOSITION, AND TO ALLOW FOR MODIFICATION OF SENTENCE FOR IMPAIRED DRIVING ON REMAND TO DISTRICT COURT OF WITHDRAWAL OF APPEAL, which Senate Committee

Substitute bill proposes to change the title, upon concurrence, to read **H.B. 183** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCLUDE PRIOR IMPAIRED DRIVING CONVICTIONS IN FELONY PRIOR RECORD LEVEL CALCULATION, AND TO PROVIDE FOR AN INDEFINITE CIVIL SUSPENSION OF A DRIVERS LICENSE WHEN A DRIVER IS CHARGED WITH AN IMPAIRED DRIVING OFFENSE WHILE ANOTHER IMPAIRED DRIVING OFFENSE IS PENDING DISPOSITION, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees.

Pursuant to your message that your Honorable Body adopted the report of the conferees, the Speaker may order the bill enrolled.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

The Speaker orders the bill enrolled and presented to the Governor.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

Senate Committee Substitute for **H.B. 1057**, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM SALES TAX AUDIOVISUAL MASTER TAPES USED IN THE MOTION PICTURE, TELEVISION, AND AUDIO PRODUCTION INDUSTRIES, is returned for concurrence in Senate committee substitute and placed on the Calendar of August 27.

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
August 26, 1997

Mr. Speaker:

On **S.B. 727** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE COMMITTEE ON APPROPRIATIONS BY ESTABLISHING THE PERCENTAGE RATES

FOR THE INSURANCE REGULATORY CHARGE AND THE PUBLIC UTILITY REGULATORY FEE, BY CLARIFYING THE BASIS OF THE PREMIUM TAX LIABILITY ON WHICH THE INSURANCE REGULATORY CHARGE IS LEVIED, BY INCREASING COURT FEES IN CRIMINAL CASES, AND BY INCREASING THE FEES FOR FILING CERTAIN DOCUMENTS, which House Committee Substitute bill proposes to change the title, upon concurrence, to read **S.B. 727** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REDUCE THE STATE SALES TAX ON FOOD BY AN ADDITIONAL ONE CENT EFFECTIVE JANUARY 1, 1998, TO ESTABLISH THE PERCENTAGE RATES FOR THE INSURANCE REGULATORY CHARGE AND THE PUBLIC UTILITY REGULATORY FEE, TO CLARIFY THE BASIS OF THE PREMIUM TAX LIABILITY ON WHICH THE INSURANCE REGULATORY CHARGE IS LEVIED, TO INCREASE COURT FEES IN CRIMINAL CASES, TO INCREASE THE FEES FOR FILING CERTAIN DOCUMENTS, AND TO PROVIDE THAT ANNUAL REPORTS OF MOST BUSINESS CORPORATIONS SHALL BE FILED WITH THE DEPARTMENT OF REVENUE RATHER THAN THE SECRETARY OF STATE, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees and the title becomes **S.B. 727** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REDUCE THE STATE SALES TAX ON FOOD BY AN ADDITIONAL ONE CENT EFFECTIVE July 1, 1998, TO ESTABLISH THE PERCENTAGE RATES FOR THE INSURANCE REGULATORY CHARGE AND THE PUBLIC UTILITY REGULATORY FEE, TO CLARIFY THE BASIS OF THE PREMIUM TAX LIABILITY ON WHICH THE INSURANCE REGULATORY CHARGE IS LEVIED, TO INCREASE COURT FEES IN CRIMINAL CASES, TO INCREASE THE FEES FOR FILING CERTAIN DOCUMENTS, AND TO PROVIDE THAT ANNUAL REPORTS OF MOST BUSINESS CORPORATIONS SHALL BE FILED WITH THE DEPARTMENT OF REVENUE RATHER THAN THE SECRETARY OF STATE.

Pursuant to the message that your Honorable Body has adopted the report of the conferees, the President has ordered the bill enrolled.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
August 26, 1997

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute bill to **S.B. 711** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF LELAND, which House Committee Substitute bill proposes to change the title, upon concurrence, to read **S.B. 711** (House Committee Substitute), a bill to be entitled an act TO PROVIDE FOR THE INCORPORATION OF THE TOWN OF SWEPSONVILLE AND THE SIMULTANEOUS DISSOLUTION OF THE SWEPSONVILLE SANITARY DISTRICT AND TO INCORPORATE THE TOWN OF GRANTSBORO, and requests conferees. The President Pro Tempore appoints:

Senator Perdue, Chairman

Senator Rand

Senator Webster

on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

CALENDAR (continued)

Senate Committee Substitute for **H.B. 1156**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO DEVELOP A SPECIAL REGISTRATION PLATE FOR SUPPORTERS OF THE MARCH OF DIMES AND TO PROVIDE THAT A PORTION OF THE MONEY GENERATED FROM THE SPECIAL PLATES WILL BE GIVEN TO THE MARCH OF DIMES BIRTH DEFECTS FOUNDATION.

On motion of the Chair, the bill is temporarily displaced.

Senate Committee Substitute for **H.B. 87**, A BILL TO BE ENTITLED AN ACT TO DIRECT VARIOUS STATE OFFICERS AND OTHERS

TO DEVELOP A PLAN TO ESTABLISH LOCAL INTERAGENCY AGREEMENTS TO ADDRESS THE NEEDS OF AT-RISK STUDENTS.

On motion of Representative Neely, the bill is temporarily displaced.

Senate Committee Substitute for **H.B. 1087**, A BILL TO BE ENTITLED AN ACT TO MAKE TRESPASSING WITH A MOTORIZED ALL TERRAIN VEHICLE A MISDEMEANOR.

On motion of Representative Baker, the House concurs in the Senate committee substitute, by electronic vote (103-1), and the bill is ordered enrolled and presented to the Governor.

Senate Committee Substitute for **H.B. 1156**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO DEVELOP A SPECIAL REGISTRATION PLATE FOR SUPPORTERS OF THE MARCH OF DIMES AND TO PROVIDE THAT A PORTION OF THE MONEY GENERATED FROM THE SPECIAL PLATES WILL BE GIVEN TO THE MARCH OF DIMES BIRTH DEFECTS FOUNDATION, which was temporarily displaced, is before the Body.

On motion of Representative Morris, the House concurs in the material Senate committee substitute on its second roll call reading, by the following vote, and the bill remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Black, Bonner, Boyd-McIntyre, Brawley, Brown, Buchanan, Cansler, Carpenter, Church, Clary, Cole, Crawford, Culp, Cunningham, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hiatt, Hightower, Hill, Holmes, R. Hunter, Hurley, Jeffus, Justus, Kinney, Kiser, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Reynolds, Russell, Sexton, Sherrill, Shubert, Smith, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 88.

Voting in the negative: Representatives Beall, Blue, Bowie, Braswell, Capps, Creech, Daughtry, Davis, Fitch, Gamble, Hardy, Hensley, H. Hunter, Ives, Luebke, Neely, Ramsey, Saunders, Sutton, Weatherly - 20.

Excused absences: Representatives Berry, Howard, and Miller - 3.

Committee Substitute for **S.B. 624**, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF SEDALIA AND TO ANNEX A DESCRIBED AREA TO THE TOWN OF CHADBOURN.

The bill, as amended, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House amendment by Special Message.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Reynolds, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 109.

Voting in the negative: Representative Gamble.

Excused absences: Representatives Berry, Howard, and Miller - 3.

House Committee Substitute No. 3 for **S.B. 826**, A BILL TO BE ENTITLED AN ACT TO PROVIDE "QUICK TAKE" PROCEDURES IN EMINENT DOMAIN PROCEEDINGS BY SCHOOL BOARDS; TO CHANGE THE TERM OF OFFICE OF THE CHARLOTTE-MECKLENBURG BOARD OF EDUCATION FROM FOUR YEARS TO TWO YEARS, SUBJECT TO A REFERENDUM; TO PROVIDE STAGGERED TERMS FOR THE TOWN OF BROADWAY; TO PROVIDE THAT THE BOARD OF COMMISSIONERS OF LEE COUNTY SHALL CONSIST OF SEVEN MEMBERS ELECTED AT LARGE FOR FOUR-YEAR STAGGERED TERMS ON A NONPARTISAN BASIS AT THE TIME OF THE GENERAL ELECTION; TO CHANGE THE TIME OF ELECTION OF THE SURRY COUNTY BOARD OF EDUCATION FROM THE PRIMARY TO NONPARTISAN AT THE TIME OF THE GENERAL ELECTION; TO ALLOW THE HENDERSON COUNTY BOARD OF COMMISSIONERS TO REDISTRICT THEIR RESIDENCY DISTRICTS; AND TO GRANT AUTHORITY TO THE MUNICIPALITIES

LOCATED IN LEE COUNTY TO ADDRESS ABANDONED STRUCTURES IN THE SAME MANNER AS MUNICIPALITIES IN COUNTIES WITH A POPULATION OF OVER ONE HUNDRED SIXTY-THREE THOUSAND, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House Committee Substitute No. 3 by Special Message.

Those voting in the affirmative are: Representatives Allred, Arnold, Baker, Barbee, Black, Bowie, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Creech, Culp, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Ellis, Esposito, Gardner, Grady, Gray, Gulley, Hall, Hardy, Hiatt, Hill, Holmes, Ives, Justus, Kiser, McComas, McCombs, McMahan, Miner, Mitchell, Moore, Morgan, Morris, Neely, Nichols, Preston, Rayfield, Reynolds, Russell, Sexton, Sherrill, Shubert, Starnes, Tallent, Thompson, Watson, Weatherly, C. Wilson, G. Wilson, and Wood - 60.

Voting in the negative: Representatives Adams, Alexander, Baddour, Beall, Blue, Bonner, Boyd-McIntyre, Braswell, Cole, Crawford, Cunningham, Dedmon, Earle, Easterling, Fitch, Fox, Gamble, Goodwin, Hackney, Hensley, Hightower, H. Hunter, R. Hunter, Hurley, Insko, Jarrell, Jeffus, Kinney, Luebke, McAllister, McCrary, Mercer, Michaux, Mosley, Nesbitt, Nye, Oldham, Owens, Ramsey, Redwine, Saunders, Smith, Sutton, Tolson, Wainwright, Warner, Warwick, Wilkins, Womble, Wright, and Yongue - 51.

Excused absences: Representatives Berry, Howard, and Miller - 3.

Committee Substitute for **S.B. 1065**, A BILL TO BE ENTITLED AN ACT TO EXPAND THE INCOME TAX EXCLUSION FOR SEVERANCE PAY TO INCLUDE SEVERANCE PAY DUE TO AN EMPLOYEE'S INVOLUNTARY TERMINATION THROUGH NO FAULT OF THE EMPLOYEE, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Esposito, Fitch, Fox, Gardner, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, H. Hunter, R. Hunter, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely,

Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 109.

Voting in the negative: Representatives Gamble and Hurley - 2.

Excused absences: Representatives Berry, Howard, and Miller - 3.

House Committee Substitute for **S.B. 841**, A BILL TO BE ENTITLED AN ACT TO ALLOW FOREIGN CORPORATIONS TO DEDUCT EXPENSES RELATED TO DEDUCTIBLE SUBSIDIARY DIVIDENDS TO THE SAME EXTENT AS NORTH CAROLINA CORPORATIONS, TO CLARIFY THE TREATMENT OF DIVIDENDS AS BUSINESS OR NONBUSINESS INCOME, AND TO ALLOW LOCAL BOARDS OF EDUCATION TO OBTAIN REFUNDS OF SALES AND USE TAXES.

On motion of Representative Morgan, the bill is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

House Committee Substitute for **S.B. 114**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A FRAMEWORK FOR DEVELOPING AND IMPLEMENTING COOPERATIVE STATE-LOCAL WATER QUALITY PROTECTION PLANS FOR RIVER BASINS AND SEGMENTS OF RIVER BASINS AND TO EXPEDITE THE PERMANENT CLOSURE OF LOW-RISK SITES UNDER THE LEAKING PETROLEUM UNDERGROUND STORAGE TANK CLEANUP ACT OF 1988.

Representative Insko offers Amendment No. 1 which is adopted by electronic vote (109-0).

The bill, as amended, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate for concurrence in House committee substitute by Special Message.

House Committee Substitute for **S.B. 947**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE BURDEN OF PROOF THAT MUST BE SATISFIED TO OBTAIN A CERTIFICATE AUTHORIZING AN

INTERBASIN TRANSFER OF SURFACE WATERS, TO DIRECT THE ENVIRONMENTAL REVIEW COMMISSION TO STUDY ISSUES RELATING TO INTERBASIN TRANSFERS, AND TO IMPOSE A TEMPORARY MORATORIUM ON CERTAIN INTERBASIN TRANSFERS DURING THE PENDENCY OF THE STUDY, passes its second reading, by electronic vote (103-7), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

House Committee Substitute for **S.B. 918**, A BILL TO BE ENTITLED AN ACT TO AMEND THE DUTY OF PERSONS WHO DISCHARGE OIL OR ANY HAZARDOUS SUBSTANCE TO REPORT THE DISCHARGE TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES.

Representative Hackney offers Amendment No. 1 which is adopted by electronic vote (55-53).

The bill, as amended, passes its second reading, by electronic vote (100-11), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate for concurrence in House committee substitute by Special Message.

House Committee Substitute for **S.B. 929**, A BILL TO BE ENTITLED AN ACT TO ENHANCE AND IMPROVE CHILD CARE IN NORTH CAROLINA.

Representative Daughtry offers Amendment No. 1 which is adopted by electronic vote (107-1).

The Speaker stops debate and attends to the following business.

BILL PRESENTED TO THE GOVERNOR

The following bill is duly ratified and presented to the Governor:

S.B. 727, AN ACT TO REDUCE THE STATE SALES TAX ON FOOD BY AN ADDITIONAL ONE CENT EFFECTIVE JULY 1, 1998, TO ESTABLISH THE PERCENTAGE RATES FOR THE INSURANCE REGULATORY CHARGE AND THE PUBLIC UTILITY REGULATORY

FEE, TO CLARIFY THE BASIS OF THE PREMIUM TAX LIABILITY ON WHICH THE INSURANCE REGULATORY CHARGE IS LEVIED, TO INCREASE COURT FEES IN CRIMINAL CASES, TO INCREASE THE FEES FOR FILING CERTAIN DOCUMENTS, AND TO PROVIDE THAT ANNUAL REPORTS OF MOST BUSINESS CORPORATIONS SHALL BE FILED WITH THE DEPARTMENT OF REVENUE RATHER THAN THE SECRETARY OF STATE.

CHAPTERED BILL

The following resolution is properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

S.J.R. 1087, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF CHARLES KURALT. (RESOLUTION 31)

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

Senate Committee Substitute No. 2 for **H.B. 769**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN STUDENTS WHO DROP OUT OF SCHOOL OR DO NOT MAKE PROGRESS TOWARD GRADUATION SHALL NOT BE ELIGIBLE FOR DRIVERS PERMITS OR LICENSES, is returned for concurrence in Senate Committee Substitute Bill No. 2 and placed on the Calendar of August 27.

CONFEREES APPOINTED

The Speaker announces the following conferees on House Committee Substitute for **S.B. 711**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF LELAND: Representative Ellis, Chair; Representatives Decker, Allred, and Hill.

The Senate is so notified by Special Message.

MOTION TO RECONSIDER VOTE

Having voted with the prevailing side, Representative Morris moves that the vote by which the House concurred in Senate Committee Substitute for **H.B. 1156**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO DEVELOP A SPECIAL REGISTRATION PLATE FOR SUPPORTERS OF THE MARCH OF

DIMES AND TO PROVIDE THAT A PORTION OF THE MONEY GENERATED FROM THE SPECIAL PLATES WILL BE GIVEN TO THE MARCH OF DIMES BIRTH DEFECTS FOUNDATION, on its second roll call reading be reconsidered. The motion carries by electronic vote (104-1).

On motion of Representative Morris, the House does not concur in the material Senate committee substitute, by the following vote, and conferees are requested.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baker, Barbee, Beall, Black, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, H. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miner, Mitchell, Moore, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Thompson, Tolson, Wainwright, Warner, Warwick, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 105.

Voting in the negative: None.

Excused absences: Representatives Baddour, Berry, Goodwin, Howard, and Miller - 5.

The Speaker appoints Representative Morris, Chair; Representatives Sutton and Braswell, as conferees on the part of the House and the Senate is so notified by Special Message.

RE-REFERRAL

On motion of Representative Miner and without objection, Senate Committee Substitute for S.B. 486, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEFINITION OF ESTABLISHMENTS THAT ARE SUBJECT TO REGULATION AS FOOD AND LODGING FACILITIES, is withdrawn from the Committee on Commerce and re-referred to the Committee on Rules, Calendar, and Operations of the House.

Representative Morgan moves, seconded by Representative Mitchell, that the House adjourn, subject to the receipt of Conference Reports, the receipt of Committee Reports, the receipt of Messages from the Senate, and the ratification of bills, to reconvene August 27 at 3:00 p.m.

Without objection, the motion carries.

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber

August 26, 1997

Mr. Speaker:

Pursuant to your message received Wednesday, August 20, 1997, that the House of Representatives fails to concur in the Senate Committee Substitute bill to **H.B. 431** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PERMIT THE GARNISHMENT OF WAGES TO RECOUP FRAUDULENT OR ERRONEOUS PUBLIC ASSISTANCE PROGRAM PAYMENTS, TO PROVIDE INVESTIGATORY SUBPOENA POWER TO COUNTY DEPARTMENTS OF SOCIAL SERVICES AND THE DEPARTMENT OF HUMAN RESOURCES, AND TO CREATE AN OFFENSE FOR ILLEGAL POSSESSION OR USE OF FOOD STAMPS, which Senate Committee Substitute bill proposes to change the title, upon concurrence, to read **H.B. 431** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT THE GARNISHMENT OF WAGES TO RECOUP FRAUDULENT PUBLIC ASSISTANCE PROGRAM PAYMENTS AND TO CREATE OFFENSES FOR ILLEGAL POSSESSION OR USE OF FOOD STAMPS, and requests conferees, the President Pro Tempore appoints:

Senator Martin of Guilford, Chairman

Senator Hartsell

Senator Dannelly

Senator Cooper

on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate:

Committee Substitute for **S.B. 815**, A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE PRESIDENT PRO TEMPORE OF THE SENATE, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

Senate Committee Substitute for **H.B. 435**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES IN THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN, is returned for concurrence in Senate committee substitute and referred to the Committee on Rules, Calendar, and Operations of the House.

BILL PRESENTED TO THE GOVERNOR

The following bill is duly ratified and presented to the Governor:

H.B. 515, AN ACT TO ENACT THE CLEAN WATER RESPONSIBILITY AND ENVIRONMENTALLY SOUND POLICY ACT, A COMPREHENSIVE AND BALANCED PROGRAM TO PROTECT WATER QUALITY, PUBLIC HEALTH, AND THE ENVIRONMENT.

The House stands adjourned at 5:45 p.m.

ONE HUNDRED TWENTY-SECOND DAY

HOUSE OF REPRESENTATIVES
Wednesday, August 27, 1997

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend Norris Cook, Hopkins Baptist Church, Hopkins, North Carolina.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of August 26 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (103-3).

Leaves of absence are granted Representatives Gardner, Gray, McMahan, and Watson for today. Representatives Holmes, Luebke, and Tallent are excused for a portion of the session.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

H.B. 183, AN ACT TO INCLUDE PRIOR IMPAIRED DRIVING CONVICTIONS IN FELONY PRIOR RECORD LEVEL CALCULATION, AND TO PROVIDE FOR AN INDEFINITE CIVIL SUSPENSION OF A DRIVERS LICENSE WHEN A DRIVER IS CHARGED WITH AN IMPAIRED DRIVING OFFENSE WHILE ANOTHER IMPAIRED DRIVING OFFENSE IS PENDING DISPOSITION.

H.B. 1087, AN ACT TO MAKE TRESPASSING WITH A MOTORIZED ALL TERRAIN VEHICLE A MISDEMEANOR.

CHAPTERED BILL

The following bill is properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

H.B. 568, AN ACT CONCERNING SATELLITE ANNEXATIONS BY THE TOWN OF WAKE FOREST AND CONCERNING A SATELLITE ANNEXATION BY THE TOWN OF BEAUFORT. (S.L. 1997-432)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committee and permanent subcommittee are presented:

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

Senate Committee Substitute for **H.B. 211,** A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS ENVIRONMENTAL LAWS TO: (1)

PROVIDE FOR CONTINUING EDUCATION REQUIREMENTS FOR, AND THE EXPIRATION AND RENEWAL OF, CERTIFICATES ISSUED BY THE WATER POLLUTION CONTROL SYSTEM OPERATORS CERTIFICATION COMMISSION; (2) INCLUDE CONSIDERATION OF THE COMPLIANCE HISTORY IN OTHER STATES OF AN APPLICANT FOR A PERMIT UNDER THE COASTAL AREA MANAGEMENT ACT; (3) CLARIFY THE DISTINCTION BETWEEN A PUBLIC HEARING AND A PUBLIC MEETING IN CONNECTION WITH AN APPLICATION FOR A WATER QUALITY PERMIT; (4) ALLOW THE ENVIRONMENTAL MANAGEMENT COMMISSION TO DELEGATE ITS POWERS BY RESOLUTION RATHER THAN BY RULE; (5) CLARIFY THE ASSESSMENT OF CIVIL PENALTIES FOR CONTINUING VIOLATIONS OF AIR QUALITY STANDARDS; (6) REESTABLISH A SCHEDULE OF SIX-YEAR STAGGERED TERMS FOR THE MINING COMMISSION; AND (7) REESTABLISH A SCHEDULE OF TWO-YEAR STAGGERED TERMS FOR THE NORTH CAROLINA PARKS AND RECREATION AUTHORITY, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with recommendation that the House concur.

The bill is placed on the Calendar of August 28.

H.B. 452, A BILL TO BE ENTITLED AN ACT TO AMEND THE BEACH PLAN PARTICIPATION FORMULA AND REVISE OTHER STATUTES RELATED TO THE BEACH PLAN, with recommendation that the House concur.

The bill is placed on the Calendar of August 28.

Senate Committee Substitute for **H.B. 496**, A BILL TO BE ENTITLED AN ACT TO GRANT AUTHORITY TO THE MUNICIPALITIES LOCATED IN LEE COUNTY TO ADDRESS ABANDONED STRUCTURES IN THE SAME MANNER AS MUNICIPALITIES IN COUNTIES WITH A POPULATION OF OVER ONE HUNDRED SIXTY-THREE THOUSAND, with recommendation that the House concur.

The bill is placed on the Calendar of August 28.

Senate Committee Substitute for **H.B. 566**, A BILL TO BE ENTITLED AN ACT EXEMPTING THE WAKE COUNTY PUBLIC SCHOOL SYSTEM FROM DEVELOPMENT CHARGES RELATED TO THE CONSTRUCTION, RENOVATION, AND REPAIR OF PUBLIC SCHOOL SYSTEM INFRASTRUCTURE FACILITIES IN WAKE COUNTY AND THE

MUNICIPALITIES THEREIN, with recommendation that the House concur.

The bill is placed on the Calendar of August 28.

H.R. 1244, A HOUSE RESOLUTION COMMEMORATING THE FIFTIETH ANNIVERSARY OF INDIA'S INDEPENDENCE FROM BRITISH RULE, with recommendation that the committee substitute resolution be adopted, unfavorable as to original resolution.

Pursuant to Rule 36(a), the committee substitute resolution is placed on the Calendar. The original resolution is placed on the Unfavorable Calendar.

House Committee Substitute for **S.B. 232**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE, SUBJECT TO A VOTE OF THE QUALIFIED VOTERS OF THE STATE, TO PROVIDE FUNDS FOR GRANTS, LOANS, AND REVOLVING LOANS TO LOCAL GOVERNMENT UNITS FOR WATER SUPPLY SYSTEMS, WASTEWATER COLLECTION SYSTEMS, WASTEWATER TREATMENT WORKS, AND WATER CONSERVATION PROJECTS, with a favorable report as to House Committee Substitute Bill No. 2, which changes the title, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 2 is placed on the Calendar. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 696**, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF GRANTSBORO AND CONCERNING A SATELLITE ANNEXATION BY THE TOWN OF BEAUFORT, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 744, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING GRANDPARENTS' LIABILITY FOR CERTAIN CHILD SUPPORT, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

House Committee Substitute for **S.B. 841**, A BILL TO BE ENTITLED AN ACT TO ALLOW FOREIGN CORPORATIONS TO DEDUCT EXPENSES RELATED TO DEDUCTIBLE SUBSIDIARY DIVIDENDS TO THE SAME EXTENT AS NORTH CAROLINA CORPORATIONS, TO CLARIFY THE TREATMENT OF DIVIDENDS AS BUSINESS OR NONBUSINESS INCOME, AND TO ALLOW LOCAL BOARDS OF EDUCATION TO OBTAIN REFUNDS OF SALES AND USE TAXES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **S.B. 853**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE SECRETARY OF THE DEPARTMENT OF REVENUE TO APPOINT EMPLOYEES OF THE DEPARTMENT AS REVENUE LAW ENFORCEMENT AGENTS TO ENFORCE THE EXCISE TAX ON CONTROLLED SUBSTANCES AND THE CRIMINAL PROVISIONS OF THE REVENUE LAWS AND DIRECTING THE SECRETARY OF REVENUE TO NOTIFY AFFECTED INTANGIBLES TAXPAYERS BY MAIL AS SOON AS POSSIBLE OF THE COURT NOTICE IN THE CLASS ACTION LAWSUIT REGARDING REFUNDS, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Appropriations.

The House committee substitute bill is re-referred to the Committee on Appropriations. The Senate committee substitute bill is placed on the Unfavorable Calendar.

Committee Substitute No. 2 for **S.B. 886**, A BILL TO BE ENTITLED AN ACT TO ADJUST CERTAIN STATUTES AFFECTING THE TRUCKING INDUSTRY TO ENCOURAGE THE GROWTH OF THAT INDUSTRY THROUGH INCREASED TRUCK REGISTRATIONS IN THIS STATE; TO PROVIDE CONSUMER PROTECTION PROVISIONS; AND TO PROVIDE FOR A STUDY OF CERTAIN TRUCKING-RELATED PROVISIONS BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate Committee Substitute Bill No. 2.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. Senate Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

By Representative Hill for the Permanent Subcommittee on Local, Regional, and State Revenues of the Standing Committee on Finance, with approval of standing committee co-chairs for report to be made directly to the floor of the House:

Committee Substitute for **S.B. 719**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE PURPOSES FOR WHICH THE GOLDSBORO ROOM OCCUPANCY TAX MAY BE USED AND TO MAKE TECHNICAL AND CONFORMING CHANGES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

CONFERENCE REPORT

Representative Ellis sends forth the Conference Report on House Committee Substitute for **S.B. 711**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE INCORPORATION OF THE TOWN OF SWEPSONVILLE AND THE SIMULTANEOUS DISSOLUTION OF THE SWEPSONVILLE SANITARY DISTRICT AND TO INCORPORATE THE TOWN OF GRANTSBORO. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of August 28.

CONFERENCE REPORT

Representative Holmes sends forth the Conference Report on House Committee Substitute for **S.B. 352**, A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of August 28.

CONFERENCE REPORT

Representative Cansler sends forth the Conference Report on **S.B. 725**, A BILL TO BE ENTITLED AN ACT AMENDING CHAPTER 143 OF THE GENERAL STATUTES TO PROVIDE FOR AN INCENTIVE BONUS PROGRAM TO RECOGNIZE AND REWARD THE COST-SAVING AND REVENUE-INCREASING INITIATIVES AND INNOVATIONS OF STATE EMPLOYEES. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of August 28.

SUBCOMMITTEE REFERRAL

Representative Holmes, Senior Ranking Member and Co-Chair, for the Standing Committee on Appropriations, refers House Committee Substitute for **S.B. 853**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE SECRETARY OF THE DEPARTMENT OF REVENUE TO APPOINT EMPLOYEES OF THE DEPARTMENT AS REVENUE LAW ENFORCEMENT AGENTS TO ENFORCE THE EXCISE TAX ON CONTROLLED SUBSTANCES AND THE CRIMINAL PROVISIONS OF THE REVENUE LAWS AND DIRECTING THE SECRETARY OF REVENUE TO NOTIFY AFFECTED INTANGIBLES TAXPAYERS BY MAIL AS SOON AS POSSIBLE OF THE COURT NOTICE IN THE CLASS ACTION LAWSUIT REGARDING REFUNDS, to the Permanent Subcommittee on General Government.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 87**, A BILL TO BE ENTITLED AN ACT TO DIRECT VARIOUS STATE OFFICERS AND OTHERS TO DEVELOP A PLAN TO ESTABLISH LOCAL INTERAGENCY AGREEMENTS TO ADDRESS THE NEEDS OF AT-RISK STUDENTS.

Representative Neely moves that the House concur in the Senate committee substitute.

On motion of Representative Neely, the bill is temporarily displaced.

Senate Committee Substitute for **H.B. 769**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN STUDENTS WHO DROP OUT OF SCHOOL OR DO NOT MAKE PROGRESS TOWARD GRADUATION SHALL NOT BE ELIGIBLE FOR DRIVERS PERMITS OR LICENSES.

On motion of Representative Sherrill, the House concurs in the Senate committee substitute, by electronic vote (98-13), and the bill is ordered enrolled and presented to the Governor by Special Message.

Senate Committee Substitute for **H.B. 1057**, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM SALES TAX AUDIOVISUAL MASTER TAPES USED IN THE MOTION PICTURE, TELEVISION, AND AUDIO PRODUCTION INDUSTRIES.

On motion of Representative Grady, the House concurs in the Senate committee substitute, by electronic vote (112-1), and the bill is ordered enrolled and presented to the Governor by Special Message.

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative Morgan and without objection, Committee Substitute for **S.B. 843**, A BILL TO BE ENTITLED AN ACT TO REPEAL OBSOLETE LAWS AND MAKE TECHNICAL AND CLARIFYING AMENDMENTS AND CORRECTIONS IN VARIOUS INSURANCE STATUTES; AND TO EXTEND THE EXPIRATION DATE OF THE 1986 RISK SHARING PLAN LAW, is withdrawn from the Calendar pursuant to Rule 36(a) and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Morgan and without objection, Committee Substitute for **H.B. 85**, A BILL TO BE ENTITLED AN ACT TO ENACT THE ENVIRONMENTALLY SOUND POLICY ACT (ESP) AND TO PROVIDE A MENU OF MEASURES TO PROTECT HEALTH AND THE ENVIRONMENT, is withdrawn from the Calendar, pursuant to Rule 36(a) and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of the Chair, the House recesses at 3:48 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

WITHDRAWAL OF CONFERENCE REPORT FROM CALENDAR

Without objection, the Conference Report on House Committee Substitute for **S.B. 352**, A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, is withdrawn from the Calendar of August 28 and placed on today's Calendar for immediate consideration.

CONFERENCE REPORT

Representative Holmes moves the adoption of the following Conference Report.

To: The President of the Senate
The Speaker of the House of Representatives

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 352, A BILL TO BE ENTITLED AN ACT TO MAKE APPROPRIATIONS FOR CURRENT OPERATIONS AND FOR CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, House Committee Substitute, Fifth Edition Engrossed 6/5/97, submit the following report:

The House of Representatives and the Senate agree to the following amendment to the House Committee Substitute, Fifth Edition Engrossed 6/5/97, and the House concurs in the House Committee Substitute, Fifth Edition Engrossed 6/5/97, with the following amendment:

Delete the entire House Committee Substitute, Fifth Edition Engrossed 6/5/97, and substitute the attached Proposed Conference Committee Substitute S352-PCCS4635C.

The conferees recommend that the Senate and House of Representatives adopt this report.

Date conferees approved report: August 26, 1997.

*Conferees for the
Senate*

S/ Aaron W. Plyler, Chair
S/ Beverly Perdue
S/ T. L. Odom
S/ Frank W. Ballance, Jr.
S/ Anthony E. Rand
S/ Wib Gulley
S/ Howard N. Lee
S/ Leslie Winner
S/ Luther H. Jordan, Jr.
S/ R. L. Martin
S/ William Martin
S/ John H. Kerr, III
S/ David W. Hoyle
S/ Thomas K. Jenkins
S/ Robert G. Shaw

*Conferees for the
House of Representatives*

S/ George M. Holmes, Chair
S/ Gene Arnold
S/ Rex L. Baker
S/ Joanne W. Bowie
S/ Lanier M. Cansler
S/ James C. Carpenter
S/ Walter Church, Sr.
S/ Debbie A. Clary
S/ James W. Crawford, Jr.
S/ Billy J. Creech
S. N. Leo Daughtry
S/ W. Dickson
S/ Jerry C. Dockham
S/ Theresa H. Esposito
S/ Stan Fox

S/ Fletcher L. Hartsell, Jr.

S/ Robert A. Rucho

S/ James P. Forrester

S/ R. A. Cooper, III

S/ Charlotte A. Gardner

S/ Lyons Gray

S/ Dewey L. Hill

S/ William M. Ives

S/ Larry T. Justus

S/ Joe Kiser

S/ Eugene McCombs

S/ W. Edwin McMahan

S/ W. Frank Mitchell

S/ Richard Moore

S/ Richard T. Morgan

S/ Edd Nye

S/ Jean R. Preston

S. Carolyn B. Russell

S/ Wilma Sherrill

S/ Gregg Thompson

S/ Gene Wilson

Representative Michaux inquires of the Chair if Rule 44(b) is violated because Section 18.22 is not a matter that was in the original bill. The Speaker rules that it was an appropriations matter and is properly before the Body.

Representative Daughtry calls the previous question on the motion to adopt the Conference Report and the call is sustained by electronic vote (64-51).

The Conference Report is adopted, by electronic vote (105-10), and the Senate is so notified by Special Message. (The Conference Report may be found in its entirety in the 1997 Session Laws, Chapter 443.)

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber

August 27, 1997

Mr. Speaker:

Pursuant to your message received Tuesday, August 26, 1997, that the House of Representatives fails to concur in the Senate Committee Substitute

bill to **H.B. 1156** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO DEVELOP A SPECIAL REGISTRATION PLATE FOR SUPPORTERS OF THE MARCH OF DIMES AND TO PROVIDE THAT A PORTION OF THE MONEY GENERATED FROM THE SPECIAL PLATES WILL BE GIVEN TO THE MARCH OF DIMES BIRTH DEFECTS FOUNDATION, which Senate Committee Substitute bill proposes to change the title, upon concurrence, to read **H.B. 1156** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEVELOPMENT OF SPECIAL REGISTRATION PLATES FOR SUPPORTERS OF THE MARCH OF DIMES, SCHOOL TECHNOLOGY, AND SCENIC RIVERS AND TO AUTHORIZE THE DEVELOPMENT OF A REGISTRATION PLATE FOR WAR VETERANS, and requests conferees, the President Pro Tempore appoints:

Senator Kerr, Chairman
Senator Hoyle
Senator Allran

on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate:

Senate Committee Substitute for **H.B. 537**, A BILL TO BE ENTITLED AN ACT TO PROVIDE RELIEF FOR FEDERAL RETIREES AND THE SURVIVING SPOUSES OF FEDERAL RETIREES, is returned for concurrence in Senate committee substitute, and placed on the Calendar of August 28.

Committee Substitute for **S.B. 1001**, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN AMUSEMENTS TAX EXEMPTION FOR CERTAIN NONPROFIT ARTS ORGANIZATIONS, is read the first time and referred to the Committee on Finance.

SPECIAL MESSAGE FROM THE SENATE**1997 GENERAL ASSEMBLY**

Senate Chamber

August 27, 1997

Mr. Speaker:

On **S.B. 352** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE APPROPRIATIONS FOR CURRENT OPERATIONS AND FOR CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees to the end that when a similar action has been taken on the part of your Honorable Body, the President will order the bill enrolled.

Respectfully,

S/ Janet B. Pruitt

*Principal Clerk***SPECIAL MESSAGE FROM THE SENATE****1997 GENERAL ASSEMBLY**

Senate Chamber

August 27, 1997

Mr. Speaker:

On **S.B. 343**, A BILL TO BE ENTITLED AN ACT RELATING TO THE DUTIES OF COMMISSIONERS OF THE MID-EAST REGIONAL HOUSING AUTHORITY UNDER THE PROVISIONS OF ARTICLE 1 OF CHAPTER 157 OF THE GENERAL STATUTES, which House Committee Substitute bill proposes to change the title, upon concurrence, to read **S.B. 343** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO THE DUTIES OF HOUSING AUTHORITY COMMISSIONERS UNDER THE PROVISIONS OF ARTICLE 1 OF CHAPTER 157 OF THE GENERAL STATUTES AND TO EXEMPT THE COUNTY OF DARE AND THE TOWN OF MANTEO FROM CERTAIN REQUIREMENTS FOR PUBLIC CONTRACTS, it is ordered

that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees to the end that when a similar action has been taken on the part of your Honorable Body, the President will order the bill enrolled.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
August 27, 1997

Mr. Speaker:

On **H.B. 227**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT RECORDATION OF AN INACTIVE HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITE IS NOT REQUIRED IN CERTAIN CASES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, which Senate Committee Substitute bill proposes to change the title, upon concurrence, to read **H.B. 227** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT RECORDATION OF AN INACTIVE HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITE IS NOT REQUIRED IN CERTAIN CASES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION AND TO EXPEDITE THE PERMANENT CLOSURE OF LOW-RISK SITES UNDER THE LEAKING PETROLEUM UNDERGROUND STORAGE TANK CLEANUP ACT OF 1988, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees and the title becomes **H.B. 227** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT RECORDATION OF AN INACTIVE HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITE IS NOT REQUIRED IN CERTAIN CASES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Pursuant to your message that your Honorable Body adopted the report of the conferees, the Speaker may order the bill enrolled.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

The Speaker orders the bill enrolled and presented to the Governor by Special Message.

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
August 27, 1997

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute bill to **S.B. 918** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE DUTY OF PERSONS WHO DISCHARGE OIL OR ANY HAZARDOUS SUBSTANCE TO REPORT THE DISCHARGE TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
August 27, 1997

Mr. Speaker:

On **S.B. 725** (Committee Substitute), A BILL TO BE ENTITLED AN ACT PERTAINING TO THE FILING OF A DEFERRED CHARGE WITH EEOC OR THE OFFICE OF ADMINISTRATIVE HEARINGS BY STATE OR LOCAL GOVERNMENT EMPLOYEES, which House

Committee Substitute bill proposes to change the title, upon concurrence, to read **S.B. 725** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING CHAPTER 143 OF THE GENERAL STATUTES TO PROVIDE FOR AN INCENTIVE BONUS PROGRAM TO RECOGNIZE AND REWARD THE COST-SAVING AND REVENUE-INCREASING INITIATIVES AND INNOVATIONS OF STATE EMPLOYEES, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees and the title becomes **S.B. 725** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT PERTAINING TO THE FILING OF A DEFERRED CHARGE WITH THE EEOC OR THE OFFICE OF ADMINISTRATIVE HEARINGS BY STATE OR LOCAL GOVERNMENT EMPLOYEES AND AMENDING CHAPTER 143 OF THE GENERAL STATUTES TO PROVIDE FOR AN INCENTIVE BONUS PROGRAM TO RECOGNIZE AND REWARD THE COST-SAVING AND REVENUE-INCREASING INITIATIVES AND INNOVATIONS OF STATE EMPLOYEES, to the end that when a similar action has been taken on the part of your Honorable Body, the President will order the bill enrolled.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate:

Senate Committee Substitute for **H.B. 652**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AMENDMENTS TO THE STATUTES GOVERNING THE OFFICE OF THE STATE AUDITOR, is returned for concurrence in Senate committee substitute, and placed on the Calendar of August 28.

Upon concurrence, the Senate committee substitute changes the title.

H.B. 853, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROFESSIONAL CORPORATION ACT TO ALLOW COLLABORATIVE PRACTICES BETWEEN PHYSICIANS AND AUDIOLOGISTS, is returned for concurrence in Senate amendment and placed on the Calendar of August 28.

Upon concurrence, the Senate amendment changes the title.

Senate Committee Substitute for **H.B. 1132**, A BILL TO BE ENTITLED AN ACT TO MAKE IT A CRIMINAL OFFENSE TO CONTAMINATE FOOD OR DRINK WITH ANY SUBSTANCE THAT WOULD RENDER A PERSON MENTALLY INCAPACITATED OR PHYSICALLY HELPLESS WITH THE INTENT OF COMMITTING A CRIME AGAINST THAT PERSON, is returned for concurrence in Senate committee substitute and placed on the Calendar of August 28.

Upon concurrence, the Senate committee substitute changes the title.

Senate Committee Substitute No. 2 for **H.B. 1142**, A BILL TO BE ENTITLED AN ACT TO WAIVE TUITION FOR CHILDREN OR SPOUSES OF CERTAIN EMERGENCY WORKERS KILLED OR DISABLED IN THE LINE OF DUTY, is returned for concurrence in Senate Committee Substitute Bill No. 2 and placed on the Calendar of August 28.

Committee Substitute for **S.B. 977**, A BILL TO BE ENTITLED AN ACT TO ENACT INTO LAW THE SOUTHERN DAIRY COMPACT, TO DIRECT THE APPOINTMENT OF MEMBERS FROM NORTH CAROLINA TO THE SOUTHERN DAIRY COMPACT COMMISSION, AND TO APPROPRIATE FUNDS, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

CONFERENCE REPORT

Representative Morris sends forth the Conference Report on Senate Committee Substitute for **H.B. 1156**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO DEVELOP A SPECIAL REGISTRATION PLATE FOR SUPPORTERS OF THE MARCH OF DIMES AND TO PROVIDE THAT A PORTION OF THE MONEY GENERATED FROM THE SPECIAL PLATES WILL BE GIVEN TO THE MARCH OF DIMES BIRTH DEFECTS FOUNDATION. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of August 28.

CONFERENCE REPORT

Representative Allred sends forth the Conference Report on House Committee Substitute for **S.B. 343**, A BILL TO BE ENTITLED AN ACT RELATING TO THE DUTIES OF HOUSING AUTHORITY COMMISSIONERS UNDER THE PROVISIONS OF ARTICLE 1 OF CHAPTER 157 OF THE GENERAL STATUTES AND TO EXEMPT

THE COUNTY OF DARE AND THE TOWN OF MANTEO FROM CERTAIN REQUIREMENTS FOR PUBLIC CONTRACTS. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of August 28.

CONFERENCE REPORT

Representative Allred sends forth the Conference Report on House Committee Substitute for **S.B. 683**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DURHAM CITY COUNCIL TO DELEGATE TO THE CITY MANAGER THE AUTHORITY TO APPROVE THE PAYMENT OF FACILITIES FEES IN INSTALLMENTS, TO AUTHORIZE THE CITY OF BURLINGTON TO DISPOSE OF CERTAIN PROPERTY BY PRIVATE SALE, AND CONCERNING ZONING IN ALAMANCE COUNTY. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of August 28.

CALENDAR (continued)

House Committee Substitute for **S.B. 929**, A BILL TO BE ENTITLED AN ACT TO ENHANCE AND IMPROVE CHILD CARE IN NORTH CAROLINA.

Representative Daughtry calls the previous question on the passage of the bill and the call is sustained by electronic vote (84-18).

The bill, as amended, passes its second reading, by electronic vote (106-4), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate for concurrence in House committee substitute by Special Message.

Committee Substitute for **S.B. 1065**, A BILL TO BE ENTITLED AN ACT TO EXPAND THE INCOME TAX EXCLUSION FOR SEVERANCE PAY TO INCLUDE SEVERANCE PAY DUE TO AN EMPLOYEE'S INVOLUNTARY TERMINATION THROUGH NO FAULT OF THE EMPLOYEE, passes its third reading, by the following vote, and is ordered enrolled and presented to the Governor by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp,

Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Goodwin, Grady, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, Mercer, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Thompson, Tolson, Wainwright, Warner, Warwick, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 108.

Voting in the negative: None.

Excused absences: Representatives Gardner, Gray, McMahan, and Watson - 4.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute No. 2 for S.B. 39, A BILL TO BE ENTITLED AN ACT TO REVISE THE SETOFF DEBT COLLECTION ACT, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Goodwin, Grady, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Thompson, Tolson, Wainwright, Warner, Warwick, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 113.

Voting in the negative: None.

Excused absences: Representatives Gardner, Gray, McMahan, and Watson - 4.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute No. 2 for **S.B. 992**, A BILL TO BE ENTITLED AN ACT AMENDING THE LAWS RELATED TO THE NORTH CAROLINA BOXING COMMISSION AND TO INCREASE THE GROSS RECEIPTS TAX ON BOXING, KICKBOXING, AND TOUGHMAN EVENTS.

On motion of Representative Culpepper and without objection, the bill is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 712**, A BILL TO BE ENTITLED AN ACT TO CERTIFY CLINICAL ADDICTIONS SPECIALISTS, PROVIDE SPECIFIC AUTHORITY FOR CERTIFICATION OF CLINICAL SUPERVISORS AND RESIDENTIAL FACILITY DIRECTORS, AND TO MAKE A TECHNICAL CHANGE, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Goodwin, Grady, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Thompson, Tolson, Wainwright, Warner, Warwick, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 112.

Voting in the negative: None.

Excused absences: Representatives Gardner, Gray, McMahan, and Watson - 4.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 30**, A BILL TO BE ENTITLED AN ACT TO ALLOW AN INCREASED PENALTY FOR SPEEDING IN A HIGHWAY WORK ZONE OF UP TO TWO HUNDRED FIFTY DOLLARS, passes its second reading, by electronic vote (93-23), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 780**, A BILL TO BE ENTITLED AN ACT REQUIRING THAT NONRESIDENT PHYSICIANS WHO TREAT PATIENTS IN THIS STATE THROUGH THE USE OF ELECTRONIC OR OTHER MEDIUMS SHALL BE LICENSED IN THIS STATE AND SHALL BE SUBJECT TO REASONABLE REGULATIONS BY THE NORTH CAROLINA MEDICAL BOARD, passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Senate Committee Substitute for **H.B. 87**, A BILL TO BE ENTITLED AN ACT TO DIRECT VARIOUS STATE OFFICERS AND OTHERS TO DEVELOP A PLAN TO ESTABLISH LOCAL INTERAGENCY AGREEMENTS TO ADDRESS THE NEEDS OF AT-RISK STUDENTS, which was temporarily displaced, is before the Body.

The House concurs in the Senate committee substitute, which changes the title, by electronic vote (113-2), and the bill is ordered enrolled and presented to the Governor by Special Message.

CONFERENCE REPORT

Representative Howard sends forth the Conference Report on Senate Committee Substitute for **H.B. 431**, A BILL TO BE ENTITLED AN ACT TO PERMIT THE GARNISHMENT OF WAGES TO RECOUP FRAUDULENT OR ERRONEOUS PUBLIC ASSISTANCE PROGRAM PAYMENTS, TO PROVIDE INVESTIGATORY SUBPOENA POWER TO COUNTY DEPARTMENTS OF SOCIAL SERVICES AND THE DEPARTMENT OF HUMAN RESOURCES, AND TO CREATE AN

OFFENSE FOR ILLEGAL POSSESSION OR USE OF FOOD STAMPS. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of August 28.

On motion of the Chair, the House recesses at 7:25 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.R. 1244**, A HOUSE RESOLUTION COMMEMORATING THE FIFTIETH ANNIVERSARY OF INDIA'S INDEPENDENCE FROM BRITISH RULE.

The resolution is adopted, by electronic vote (87-1), and ordered printed.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 719**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE PURPOSES FOR WHICH THE GOLDSBORO ROOM OCCUPANCY TAX MAY BE USED AND TO MAKE TECHNICAL AND CONFORMING CHANGES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Aldridge, Alexander, Arnold, Baddour, Baker, Barbee, Black, Braswell, Brawley, Brown, Buchanan, Cansler, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Daughtry, Decker, Dedmon, Earle, Easterling, Eddins, Ellis, Esposito, Goodwin, Grady, Gulley, Hackney, Hall, Hardaway, Hensley, Hiatt, Hightower, Hill, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Nichols, Nye, Owens, Preston, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Sutton, Tallent, Thompson, Tolson, Warner, Warwick, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 88.

Voting in the negative: Representatives Davis and Hardy - 2.

Excused absences: Representatives Gardner, Gray, Holmes, McMahan, and Watson - 5.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 636**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ESTABLISHMENT OF LOCAL PUBLIC HEALTH AUTHORITIES, AS RECOMMENDED BY THE NORTH CAROLINA PUBLIC HEALTH COMMISSION, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Aldridge, Alexander, Arnold, Baddour, Baker, Barbee, Beall, Black, Bonner, Braswell, Brawley, Brown, Buchanan, Cansler, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Goodwin, Grady, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Owens, Preston, Rayfield, Redwine, Reynolds, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Sutton, Tallent, Thompson, Tolson, Warner, Warwick, Wilkins, G. Wilson, Womble, Wood, Wright, and Yongue - 95.

Voting in the negative: Representative Capps.

Excused absences: Representatives Gardner, Gray, Holmes, McMahan, and Watson - 5.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute No. 2 for **S.B. 232**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE, SUBJECT TO A VOTE OF THE QUALIFIED VOTERS OF THE STATE, TO PROVIDE FUNDS FOR GRANTS, LOANS, AND REVOLVING LOANS TO LOCAL GOVERNMENT UNITS FOR WATER SUPPLY SYSTEMS, WASTEWATER COLLECTION SYSTEMS, WASTEWATER TREATMENT WORKS, AND WATER CONSERVATION PROJECTS.

Representative R. Hunter offers Amendment No. 1.

Representative Culpepper inquires of the Chair if the amendment would be ruled material if it is adopted. The Speaker rules that it would not.

Amendment No. 1 is adopted by electronic vote (91-21).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Goodwin, Grady, Gulley, Hackney, Hall, Hardaway, Hardy, Hensley, Hiatt, Hightower, Hill, Howard, H. Hunter, R. Hunter, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 112.

Voting in the negative: None.

Excused absences: Representatives Gardner, Gray, Holmes, McMahan, and Watson - 5.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 841**, A BILL TO BE ENTITLED AN ACT TO ALLOW FOREIGN CORPORATIONS TO DEDUCT EXPENSES RELATED TO DEDUCTIBLE SUBSIDIARY DIVIDENDS TO THE SAME EXTENT AS NORTH CAROLINA CORPORATIONS, TO CLARIFY THE TREATMENT OF DIVIDENDS AS BUSINESS OR NONBUSINESS INCOME, AND TO ALLOW LOCAL BOARDS OF EDUCATION TO OBTAIN REFUNDS OF SALES AND USE TAXES.

Representative Luebke offers Amendment No. 1 which fails of adoption by electronic vote (44-65).

Representative Hightower offers Amendment No. 2 which is ruled to be material.

Representative Morgan calls the previous question on the amendment and the call is sustained by electronic vote (73-39).

Amendment No. 2 fails of adoption by the following vote.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Baddour, Beall, Black, Blue, Bonner, Boyd-McIntyre, Cole, Crawford, Cunningham, Dedmon, Earle, Easterling, Fitch, Fox, Goodwin, Hackney, Hardaway, Hensley, Hightower, H. Hunter, R. Hunter, Hurley, Insko, Kinney, Luebke, McAllister, McCrary, Mercer, Michaux, Miller, Mosley, Nesbitt, Oldham, Ramsey, Redwine, Rogers, Saunders, Smith, Sutton, Tolson, Wainwright, Warner, Warwick, Wilkins, Womble, Wright, and Yongue - 50.

Voting in the negative: Representatives Aldridge, Arnold, Baker, Barbee, Berry, Bowie, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Creech, Culp, Culpepper, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Ellis, Esposito, Grady, Gulley, Hall, Hardy, Hiatt, Hill, Howard, Ives, Jarrell, Jeffus, Justus, Kiser, McComas, McCombs, Miner, Mitchell, Moore, Morgan, Morris, Neely, Nichols, Nye, Owens, Preston, Rayfield, Reynolds, Russell, Sexton, Sherrill, Shubert, Starnes, Tallent, Thompson, Weatherly, C. Wilson, G. Wilson, and Wood - 62.

Excused absences: Representatives Gardner, Gray, Holmes, McMahan, and Watson - 5.

Representative Allred requests and is granted permission to change his vote from "aye" to "no". The adjusted vote total is (49-63).

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Berry, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Goodwin, Grady, Gulley, Hall, Hardy, Hensley, Hiatt, Hill, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus,

Justus, Kinney, Kiser, McAllister, McComas, McCombs, McCrary, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 109.

Voting in the negative: Representatives Hackney, Hardaway, Hightower, and Luebke - 4.

Excused absences: Representatives Gardner, Gray, Holmes, McMahan, and Watson - 5.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute No. 3 for S.B. 1, A BILL TO BE ENTITLED AN ACT TO CHANGE THE FILING SCHEDULE OF CAMPAIGN REPORTS; TO REQUIRE THE LISTING OF A CONTRIBUTOR'S PRINCIPAL OCCUPATION AND TO PROVIDE FOR A "BEST EFFORTS" RULE; TO REQUIRE THAT COORDINATED PARTY EXPENDITURES BE REPORTED; TO EXPAND REPORTING IN LOCAL ELECTIONS AND REFERENDA AND TO SET A THREE THOUSAND DOLLAR THRESHOLD FOR REPORTING GENERALLY; TO REQUIRE ELECTRONIC FILING OF CERTAIN CAMPAIGN REPORTS AND INTERNET ACCESS; TO PROVIDE FOR CIVIL PENALTIES FOR LATE FILING OF CAMPAIGN REPORTS; TO CLOSE THE SECOND PRIMARY LOOPHOLE FOR CONTRIBUTION LIMITS; TO REWRITE AND EXPAND THE LIMITS ON FUND-RAISING DURING LEGISLATIVE SESSIONS; TO CHANGE THE METHOD FOR DISTRIBUTING MONEY FROM THE POLITICAL PARTIES FINANCING FUND; TO REQUIRE THE DISCLOSURE OF SPENDING FOR MATERIAL THAT NAMES CANDIDATES; TO DISCLOSE THE FLOW OF MONEY THROUGH NORTH CAROLINA AND NATIONAL POLITICAL ORGANIZATIONS AND TO PROHIBIT A COUNCIL OF STATE MEMBER FROM USING STATE FUNDS FOR ADS AND ANNOUNCEMENTS WITHIN A YEAR BEFORE AN ELECTION CONTAINING THE MEMBER'S NAME, PICTURE, OR VOICE.

Representative Goodwin offers Amendment No. 1 which is adopted by electronic vote (65-46).

Representative Baddour moves that Rule 31(d) be suspended in order that he might offer an amendment that would change the title of the bill.

Representative Morgan calls the previous question on the motion and the call is sustained by electronic vote (65-45).

The motion to suspend the rules fails, by electronic vote (57-54), for lack of a two-thirds majority.

Representative McComas requests and is granted permission to change his vote from "aye" to "no". The adjusted vote total is (56-55).

Representative Neely sends forth an amendment.

The Chair rules that the amendment does not fit the title of the bill and states that a motion to suspend the rules would be in order.

Representative Neely withdraws his amendment.

The bill, as amended, passes its second reading by electronic vote (97-16).

Representative Hightower objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 886**, A BILL TO BE ENTITLED AN ACT TO ADJUST CERTAIN STATUTES AFFECTING THE TRUCKING INDUSTRY TO ENCOURAGE THE GROWTH OF THAT INDUSTRY THROUGH INCREASED TRUCK REGISTRATIONS IN THIS STATE; TO PROVIDE CONSUMER PROTECTION PROVISIONS; AND TO PROVIDE FOR A STUDY OF CERTAIN TRUCKING-RELATED PROVISIONS BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, passes its second reading, by electronic vote (102-6), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

WITHDRAWAL OF OBJECTION TO THIRD READING

Representative Hightower withdraws his objection to the third reading of House Committee Substitute for **S.B. 1**, A BILL TO BE ENTITLED AN

ACT TO CHANGE THE FILING SCHEDULE OF CAMPAIGN REPORTS; TO REQUIRE THE LISTING OF A CONTRIBUTOR'S PRINCIPAL OCCUPATION AND TO PROVIDE FOR A "BEST EFFORTS" RULE; TO REQUIRE THAT COORDINATED PARTY EXPENDITURES BE REPORTED; TO EXPAND REPORTING IN LOCAL ELECTIONS AND REFERENDA AND TO SET A THREE THOUSAND DOLLAR THRESHOLD FOR REPORTING GENERALLY; TO REQUIRE ELECTRONIC FILING OF CERTAIN CAMPAIGN REPORTS AND INTERNET ACCESS; TO PROVIDE FOR CIVIL PENALTIES FOR LATE FILING OF CAMPAIGN REPORTS; TO CLOSE THE SECOND PRIMARY LOOPHOLE FOR CONTRIBUTION LIMITS; TO REWRITE AND EXPAND THE LIMITS ON FUND-RAISING DURING LEGISLATIVE SESSIONS; TO CHANGE THE METHOD FOR DISTRIBUTING MONEY FROM THE POLITICAL PARTIES FINANCING FUND; TO REQUIRE THE DISCLOSURE OF SPENDING FOR MATERIAL THAT NAMES CANDIDATES; TO DISCLOSE THE FLOW OF MONEY THROUGH NORTH CAROLINA AND NATIONAL POLITICAL ORGANIZATIONS AND TO PROHIBIT A COUNCIL OF STATE MEMBER FROM USING STATE FUNDS FOR ADS AND ANNOUNCEMENTS WITHIN A YEAR BEFORE AN ELECTION CONTAINING THE MEMBER'S NAME, PICTURE, OR VOICE.

The bill, as amended, passes its third reading, by electronic vote (98-12), and is ordered engrossed and sent to the Senate for concurrence in House Committee Substitute No. 3 by Special Message.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 553**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE STATE SHALL PAY THE COST OF ANY REQUIRED LEGAL ADVERTISING IT REQUIRES COUNTIES TO PLACE IN CONNECTION WITH ANY REFERENDUM PLACED ON THE BALLOT BY THE GENERAL ASSEMBLY; TO ALLOW A COUNTY BOARD OF ELECTIONS TO CONDUCT ONE-STOP VOTING ON ITS ELECTION-DAY VOTING EQUIPMENT AT THE COUNTY BOARD OF ELECTIONS OFFICE USING CURRENT EXCUSE REQUIREMENTS UNDER A PLAN APPROVED BY THE STATE BOARD OF ELECTIONS; AND TO ALLOW THE CATAWBA COUNTY BOARD OF ELECTIONS TO USE PAPER BALLOTS IN SECOND PRIMARY ELECTIONS WHERE VOTING SYSTEMS ARE

USED IN THE FIRST PRIMARY ELECTION, passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE.

The following report from permanent subcommittee is presented:

By Representatives Ives, McCombs, and Sherrill, Co-Chairs, for the Permanent Subcommittee on General Government of the Standing Committee on Appropriations, with approval of standing committee co-chairs, for report to be made directly to the floor of the House:

House Committee Substitute for **S.B. 853**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE SECRETARY OF THE DEPARTMENT OF REVENUE TO APPOINT EMPLOYEES OF THE DEPARTMENT AS REVENUE LAW ENFORCEMENT AGENTS TO ENFORCE THE EXCISE TAX ON CONTROLLED SUBSTANCES AND COUNTERFEIT DRUGS AND THE CRIMINAL PROVISIONS OF THE REVENUE LAWS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

On motion of Representative Morgan, seconded by Representative Reynolds, the House adjourns at 9:00 p.m. to reconvene August 28 at 11:00 a.m.

ONE HUNDRED TWENTY-THIRD DAY

HOUSE OF REPRESENTATIVES
Thursday, August 28, 1997

The House meets at 11:00 a.m. pursuant to adjournment and is called to order by the Speaker.

The following remarks and prayer are offered by the Reverend Jim Harry, House Chaplain.

"My brothers and sisters, and once again, I use these terms of endearment with great sincerity, I congratulate you on your work and its near completion for this 1997 legislative session. Although it has been a longer session than expected, doing the right thing and making the right choices doesn't always happen quickly.

"I wish to extend my thanks to each one of you, the members of the House. You have welcomed me with open arms and affirmed me in my ministry among you. I wish to say thank you to the Principal Clerk's Office for their kindness and their warm smiles and their tenderness. I have appreciated the time I have had this session of greeting them each day prior to our coming to order. I'd like to thank the Speaker Pro Tempore for recruiting me on behalf of all of you. And, finally, I would like to offer a special thank you to the Speaker of the House for making this appointment.

"Mr. Speaker, I extend to you and your family my sincere thanks, and God's blessing upon you as you continue your work both here and at home. Thank you.

"It has been my goal each legislative day, to begin our time together by forcing us to focus on God rather than on ourselves. I have tried to incorporate within my prayers a strong belief in the sovereignty of God over all the earth, over our lives, and yes, even over our legislative proceedings. I have tried to offer what little pastoral counsel I could to many of you who chose to discuss with me your concerns over legislative material, as well as your own personal family needs and situations. I have also tried to visit everyone that I knew was hospitalized in the short time that I have been with you. It has always been my goal, as a minister and as an ambassador of God, to offer God's grace to all God's people, to love God's people as God indeed loves each one of you, and to instruct, teach, proclaim, and, yes, even gently admonish when necessary.

"You will each return to your respective corners of this precious state in just a little while. You will be welcomed home by family and friends. Tomorrow morning, each of you will be able to read the paper and see all the wonderful things that the reporters have to say about you, many of you even by name. As you go, don't ever forget that you were called to serve, and not to be served. That you were called by others who had faith in your abilities to help them, not to help yourselves. You were, and you remain, whether you know it or not, accept it, or even like it, an instrument of God being used to bring order, justice, and peace to our little corner of God's vast universe.

"I must leave here immediately following the prayer, as I have a meeting that I must attend. And so since I will not be here at the conclusion of our time here today, I would ask that you would remain standing following the prayer so that I may have the opportunity of offering you a blessing after the prayer. Let us pray.

"Eternal God, Creator and Preserver of all life, Author of salvation, Giver of all grace, we offer You our heartfelt thanks for allowing us the opportunity to serve your people throughout this session. Thank You for the sense of community that has been built among the men and women of this House. Thank You for both the good times when we knew we were doing the right thing; and thank You for the hard times when we were forced to ask ourselves and each other difficult questions that hinged on issues such as equity, and fairness, and justice. These discussions produced lively debates that hopefully challenged us to remember why we were here and what we were called to do.

"By the power of Your Holy Spirit, bless and sanctify the work that we have done. Use its strong points to better build and serve Your kingdom. Make good its defects so that they do not become stumbling blocks for any of Your people.

"Now, O God, as we prepare to go our separate ways, may Your Spirit go before us and prepare the way. May Your Spirit remain with us as we interpret our work among our people and as we resume our respective vocations. May Your Spirit come behind us, and clean up after us, so that we can live peacefully and lie down at night with the assurance that we have lived as authentically as we could have lived. May we be ever mindful of Your Presence in our lives and in the lives of all Your people. By the Spirit of God, who is always interceding on our behalf, we pray...Amen.

"Members of the House of the General Assembly of North Carolina
My brothers and sisters:

"May the Lord bless you and keep you.

"May the Lord make His face to shine upon you, and be gracious unto you.

"May the Lord lift up His countenance upon you, and give you peace. Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of August 27 has been

examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (102-1).

Leaves of absence are granted Representatives Berry, Gardner, Hardaway, McMahan, and Watson for today. Representatives Baddour, Dickson, Esposito, Gamble, Luebke, McComas, Russell, and Warner are excused for a portion of the session.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

S.B. 352, AN ACT TO MAKE APPROPRIATIONS FOR CURRENT OPERATIONS AND FOR CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES.

S.B. 114, AN ACT TO ESTABLISH A FRAMEWORK FOR DEVELOPING AND IMPLEMENTING COOPERATIVE STATE-LOCAL WATER QUALITY PROTECTION PLANS FOR RIVER BASINS AND SEGMENTS OF RIVER BASINS AND TO EXPEDITE THE PERMANENT CLOSURE OF LOW-RISK SITES UNDER THE LEAKING PETROLEUM UNDERGROUND STORAGE TANK CLEANUP ACT OF 1988.

S.B. 516, AN ACT TO ESTABLISH A STATE-ADMINISTERED LEAD-BASED PAINT HAZARD MANAGEMENT PROGRAM IN LIEU OF HAVING A FEDERALLY ADMINISTERED PROGRAM APPLY IN THIS STATE.

S.B. 947, AN ACT TO MODIFY THE BURDEN OF PROOF THAT MUST BE SATISFIED TO OBTAIN A CERTIFICATE AUTHORIZING AN INTERBASIN TRANSFER OF SURFACE WATERS, TO DIRECT THE ENVIRONMENTAL REVIEW COMMISSION TO STUDY ISSUES RELATING TO INTERBASIN TRANSFERS, AND TO IMPOSE A TEMPORARY MORATORIUM ON CERTAIN INTERBASIN TRANSFERS DURING THE PENDENCY OF THE STUDY.

S.B. 1065, AN ACT TO EXPAND THE INCOME TAX EXCLUSION FOR SEVERANCE PAY TO INCLUDE SEVERANCE PAY DUE TO AN EMPLOYEE'S INVOLUNTARY TERMINATION THROUGH NO FAULT OF THE EMPLOYEE.

H.B. 87, AN ACT TO EXEMPT THE CENTENNIAL CAMPUS OF NORTH CAROLINA STATE UNIVERSITY AT RALEIGH FROM THE UMSTEAD ACT, WHICH PROHIBITS STATE GOVERNMENT FROM ENGAGING IN THE SALE OF GOODS IN COMPETITION WITH CITIZENS OF THE STATE.

H.B. 227, AN ACT TO PROVIDE THAT RECORDATION OF AN INACTIVE HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITE IS NOT REQUIRED IN CERTAIN CASES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

H.B. 769, AN ACT TO PROVIDE THAT CERTAIN STUDENTS WHO DROP OUT OF SCHOOL OR DO NOT MAKE PROGRESS TOWARD GRADUATION SHALL NOT BE ELIGIBLE FOR DRIVERS PERMITS OR LICENSES.

H.B. 1057, AN ACT TO EXEMPT FROM SALES TAX AUDIOVISUAL MASTER TAPES USED IN THE MOTION PICTURE, TELEVISION, AND AUDIO PRODUCTION INDUSTRIES.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representative Howard for the Committee on Ethics:

Committee Substitute for **S.B. 649**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR LATE FILING OF REPORTS BY LOBBYIST AND PRINCIPAL, with a favorable report.

On motion of the Chair, pursuant to Rule 38(b), the bill is re-referred to the Committee on Finance.

INTRODUCTION OF BILL AND RESOLUTION

The following is introduced, read the first time and referred to committee:

By Representative Daughtry:

H.R. 1245, A HOUSE RESOLUTION TO PROVIDE THE VOTE HISTORY FOR EACH BILL ON THE GENERAL ASSEMBLY'S INTERNET/WORLD WIDE WEB SITE IN THE MOST COMPLETE

AND USEFUL FORMAT POSSIBLE, is referred to the Committee on Rules, Calendar, and Operations of the House.

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
August 28, 1997

Mr. Speaker:

On **S.B. 711** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF LELAND, which House Committee Substitute bill proposes to change the title, upon concurrence, to read **S.B. 711** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE INCORPORATION OF THE TOWN OF SWEPSONVILLE AND THE SIMULTANEOUS DISSOLUTION OF THE SWEPSONVILLE SANITARY DISTRICT AND TO INCORPORATE THE TOWN OF GRANTSBORO, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees and the title becomes **S.B. 711** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF GRANTSBORO, to the end that when a similar action has been taken on the part of your Honorable Body, the President will order the bill enrolled.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

Committee Substitute for **S.B. 594**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN COUNTIES TO LEVY ONE-CENT LOCAL SALES AND USE TAXES FOR PUBLIC SCHOOL BUILDINGS, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committee are presented:

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

Senate Committee Substitute for **H.B. 435**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES IN THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN, with recommendation that the House concur.

Pursuant to Rule 36(a), the bill is placed on today's Calendar.

Senate Committee Substitute for **H.B. 786**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF CONCORD TO ALLOW THE CITY MANAGER TO APPOINT THE FINANCE DIRECTOR AND THE CITY CLERK, with recommendation that the House concur.

Pursuant to Rule 36(a), the bill is placed on today's Calendar.

S.B. 122, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE LAWS RELATING TO MOTOR VEHICLES APPLY WITHIN THE LAKE ROYALE COMMUNITY IN FRANKLIN AND NASH COUNTIES, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 815**, A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE PRESIDENT PRO TEMPORE OF THE SENATE, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

CONFERENCE REPORT

Representative Howard moves the adoption of the following Conference Report.

Senate Committee Substitute for H.B. 431

To: The President of the Senate

The Speaker of the House of Representatives

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 431, AN ACT TO PERMIT THE GARNISHMENT OF WAGES TO RECOUP FRAUDULENT PUBLIC ASSISTANCE PROGRAM PAYMENTS AND TO CREATE OFFENSES FOR ILLEGAL POSSESSION OR USE OF FOOD STAMPS, Senate Judiciary Committee Substitute Adopted 8/6/97, Sixth Edition Engrossed 8/13/97, submit the following report:

The Senate and House agree to the following amendment to the Senate Judiciary Committee Substitute Adopted 8/6/97, Sixth Edition Engrossed 8/13/97, and the House concurs in the Senate Judiciary Committee Substitute Adopted 8/6/97, Sixth Edition Engrossed 8/13/97, as amended:

on page 3, line 19,
by deleting the words "deals in," and

on page 3, line 20,
by deleting the word "deal,"; and

on page 3, lines 21 and 22,
by rewriting the lines to read:
"access devices in any manner contrary to that authorized by this Part or the regulations issued pursuant thereto shall be guilty"; and

on page 3, line 26,
by rewriting the line to read:
"authorized by this Part or the regulations".

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: August 27, 1997.

*Conferees for the
Senate*

S/ William Martin, Chairman
S/ Fletcher L. Hartsell, Jr.
S/ Charlie S. Dannelly
S/ R. A. Cooper, III

*Conferees for the
House of Representatives*

S/ Julia Howard, Chair
S/ Richard T. Morgan
S/ Dewey L. Hill

The Conference Report, which changes the title, is adopted by electronic vote (106-0), and the Senate is so notified by Special Message.

CONFERENCE REPORT

Representative Morris moves the adoption of the following Conference Report.

Senate Committee Substitute for H.B. 1156

To: The President of the Senate
The Speaker of the House of Representatives

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 1156, AN ACT TO AUTHORIZE THE DEVELOPMENT OF SPECIAL REGISTRATION PLATES FOR SUPPORTERS OF THE MARCH OF DIMES, SCHOOL TECHNOLOGY, AND SCENIC RIVERS AND TO AUTHORIZE THE DEVELOPMENT OF A REGISTRATION PLATE FOR WAR VETERANS, Fourth Edition Engrossed 8/14/97, submit the following report:

The House and Senate agree to the following amendments to the Fourth Edition Engrossed 8/14/97 and the House concurs in the Fourth Edition Engrossed 8/14/97 as amended:

on page 1, line 5, by deleting "WAR" and substituting "COMBAT";

and on page 2, lines 7 through 13, by rewriting those lines to read:

"(6b)

Combat Veteran. -- Issuable to a veteran of the armed forces who served in a combat zone, or in waters adjacent to a combat zone, during a period of war and who was separated from the armed forces under honorable conditions. The Division may not issue the plate authorized by this subdivision unless it receives at least

300 applications for the plate. A 'period of war' is any of the following:";

and on page 4, line 7, by deleting that line;

and on page 4, line 8, by deleting "Section 9." and substituting Section 8."

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: August 27, 1997.

*Conferees for the
Senate*

S/ John H. Kerr, III, Chairman
S/ Austin Murphy Allran
S/ David Hoyle

*Conferees for the
House of Representatives*

S/ Amelia A. H. Morris, Chair
S/ Jerry Braswell
S/ Ronnie N. Sutton

Pursuant to Rule 20(a)(2), the material Conference Report is adopted on its second roll call reading, by the following vote.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Black, Bonner, Boyd-McIntyre, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Easterling, Eddins, Ellis, Fitch, Fox, Goodwin, Grady, Gray, Gulley, Hackney, Hardy, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 101.

Voting in the negative: Representatives Blue, Creech, Hensley, and Weatherly - 4.

Excused absences: Representatives Berry, Gardner, Hardaway, McMahan, and Watson - 5.

Pursuant to Rule 20(a)(2), the material Conference Report, which changes the title, is adopted on its third roll call reading, by the following vote, and the Senate is so notified by Special Message.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Black, Bonner, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hiatt, Hightower, Hill, Holmes, Howard, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Redwine, Reynolds, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 104.

Voting in the negative: Representatives Blue, Creech, Hardy, Hensley, H. Hunter, and Ramsey - 6.

Excused absences: Representatives Berry, Gardner, Hardaway, McMahan, and Watson - 5.

CONFERENCE REPORT

Representative Allred moves the adoption of the following Conference Report.

House Committee Substitute for S.B. 343

To: The President of the Senate

The Speaker of the House of Representatives

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 343, A BILL TO BE ENTITLED AN ACT RELATING TO THE DUTIES OF HOUSING AUTHORITY COMMISSIONERS UNDER THE PROVISIONS OF ARTICLE 1 OF CHAPTER 157 OF THE GENERAL STATUTES AND TO EXEMPT THE COUNTY OF DARE AND THE TOWN OF MANTEO FROM CERTAIN REQUIREMENTS FOR PUBLIC CONTRACTS, 3rd

Edition House Committee Substitute Favorable 8/14/97, Corrected Copy 8/20/97, submit the following report:

The Senate concurs in the 3rd Edition House Committee Substitute with the following amendments:

page 1, line 16, by adding the following at the end of the line:

"In contracting for the design and construction of a Social Services building and a Health Services building, if Dare County accepts bids under the single-prime contract system, it shall also seek bids for each building under the separate prime contract system. Notwithstanding any provision of law, Dare County may award each contract in its sole discretion."; and

page 1, line 19, by adding the following at the end of the line:

"In contracting for a Town Hall building, if the Town of Manteo accepts bids under the single-prime contract system, it shall also seek bids under the separate prime contract system. Notwithstanding any provision of law, the Town of Manteo may award the contract in its sole discretion."

And the House agrees to the same.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: August 27, 1997.

*Conferees for the
Senate*

S/ David Hoyle, Chairman
S/ John H. Carrington
S/ Brad Miller

*Conferees for the
House of Representatives*

S/ Cary D. Allred, Chair
S/ Edwin M. Hardy
S/ Gene Rogers
S/ Edgar V. Starnes

The Conference Report is adopted, by electronic vote (106-0), and the Senate is so notified by Special Message.

CONFERENCE REPORT

Representative Allred moves the adoption of the following Conference Report.

House Committee Substitute for S.B. 683

To: The President of the Senate
The Speaker of the House of Representatives

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 683, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DURHAM CITY COUNCIL TO DELEGATE TO THE CITY MANAGER THE AUTHORITY TO APPROVE THE PAYMENT OF FACILITIES FEES IN INSTALLMENTS, TO AUTHORIZE THE CITY OF BURLINGTON TO DISPOSE OF CERTAIN PROPERTY BY PRIVATE SALE, AND CONCERNING ZONING IN ALAMANCE COUNTY, 2nd Edition, House Committee Substitute Favorable 8/19/97, submit the following report:

The Senate concurs in the 2nd Edition House Committee Substitute with the following amendment:

on page 2, line 24, by adding the following at the end of that line:

"Subsequent changes in the boundaries of the precinct do not change the boundaries of the zoning area."

and the House agrees to the same.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: August 27, 1997.

*Conferees for the
Senate*

S/ Jeanne Lucas
S/ Fletcher L. Hartsell, Jr.
S/ Luther H. Jordan, Jr.
S/ Larry Shaw

*Conferees for the
House of Representatives*

S/ Cary D. Allred, Chair
S/ George W. Miller, Jr.
S/ Dennis Reynolds

The Conference Report is adopted, by electronic vote (104-2), and the Senate is so notified by Special Message.

CONFERENCE REPORT

Representative Ellis moves the adoption of the following Conference Report.

House Committee Substitute for S.B. 711

To: The President of the Senate

The Speaker of the House of Representatives

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 711, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE INCORPORATION OF THE TOWN OF SWEPSONVILLE AND THE SIMULTANEOUS DISSOLUTION OF THE SWEPSONVILLE SANITARY DISTRICT AND TO INCORPORATE THE TOWN OF GRANTSBORO, House Committee Substitute Fourth Edition Engrossed 7/22/97, submit the following report:

The Senate concurs in the House Committee Substitute Fourth Edition Engrossed 7/22/97, with the following amendments:

(1) On page 1, lines 2 through 4, by deleting the words: "TO PROVIDE FOR THE INCORPORATION OF THE TOWN OF SWEPSONVILLE AND THE SIMULTANEOUS DISSOLUTION OF THE SWEPSONVILLE SANITARY DISTRICT AND"; and

(2) On page 1, line 7 through page 8, line 44, by deleting those lines, and renumbering the succeeding sections.

The House agrees to the same.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: August 27, 1997.

*Conferees for the
Senate*

S/ Beverly Perdue, Chairman
S/ Anthony E. Rand
S/ Hugh Webster

*Conferees for the
House of Representatives*

S/ J. Sam Ellis, Chair
S/ Michael Decker, Sr.
S/ Cary Allred
S/ Dewey L. Hill

The Conference Report, which changes the title, is adopted, by electronic vote (107-0), and the Senate is so notified by Special Message.

CONFERENCE REPORT

Representative Cansler moves the adoption of the following Conference Report.

House Committee Substitute for S.B. 725

To: The President of the Senate
The Speaker of the House of Representatives

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 725, A BILL TO BE ENTITLED AN ACT AMENDING CHAPTER 143 OF THE GENERAL STATUTES TO PROVIDE FOR AN INCENTIVE BONUS PROGRAM TO RECOGNIZE AND REWARD THE COST-SAVING AND REVENUE-INCREASING INITIATIVES AND INNOVATIONS OF STATE EMPLOYEES, House Committee Substitute Favorable 8/20/97, submit the following report:

The House and Senate agree to the following amendment to the House Committee Substitute, House Committee Substitute Favorable 8/20/97, and the Senate concurs in the House Committee Substitute, as amended:

Delete the entire House Committee Substitute and substitute the attached Proposed Conference Committee Substitute, S725-PCCS1895, A BILL TO BE ENTITLED AN ACT PERTAINING TO THE FILING OF A DEFERRED CHARGE WITH THE EEOC OR THE OFFICE OF ADMINISTRATIVE HEARINGS BY STATE OR LOCAL GOVERNMENT EMPLOYEES AND AMENDING CHAPTER 143 OF THE GENERAL STATUTES TO PROVIDE FOR AN INCENTIVE BONUS PROGRAM TO RECOGNIZE AND REWARD THE COST-SAVING AND REVENUE-INCREASING INITIATIVES AND INNOVATIONS OF STATE EMPLOYEES.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: August 27, 1997.

*Conferees for the
Senate*

S/ Brad Miller, Chair
S/ Fletcher L. Hartsell, Jr.
S/ Eric Miller Reeves

*Conferees for the
House of Representatives*

S/ Lanier M. Cansler, Chair
S/ N. Leo Daughtry
S/ H. M. Michaux, Jr.
S/ C. B. Neely, Jr.

The Conference Report, which changes the title, is adopted, by electronic vote (108-0), and the Senate is so notified by Special Message. (The Conference Committee Substitute may be found in its entirety in the Appendix.)

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 496**, A BILL TO BE ENTITLED AN ACT TO GRANT AUTHORITY TO THE MUNICIPALITIES LOCATED IN LEE COUNTY TO ADDRESS ABANDONED STRUCTURES IN THE SAME MANNER AS MUNICIPALITIES IN COUNTIES WITH A POPULATION OF OVER ONE HUNDRED SIXTY-THREE THOUSAND.

On motion of Representative Hall, the House concurs in the Senate committee substitute, by electronic vote (109-0), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 566**, A BILL TO BE ENTITLED AN ACT EXEMPTING THE WAKE COUNTY PUBLIC SCHOOL SYSTEM FROM DEVELOPMENT CHARGES RELATED TO THE CONSTRUCTION, RENOVATION, AND REPAIR OF PUBLIC SCHOOL SYSTEM INFRASTRUCTURE FACILITIES IN WAKE COUNTY AND THE MUNICIPALITIES THEREIN.

On motion of Representative Ellis, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (104-1), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 211**, A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS ENVIRONMENTAL LAWS TO: (1) PROVIDE FOR CONTINUING EDUCATION REQUIREMENTS FOR, AND THE EXPIRATION AND RENEWAL OF, CERTIFICATES ISSUED BY THE WATER POLLUTION CONTROL SYSTEM OPERATORS

CERTIFICATION COMMISSION; (2) INCLUDE CONSIDERATION OF THE COMPLIANCE HISTORY IN OTHER STATES OF AN APPLICANT FOR A PERMIT UNDER THE COASTAL AREA MANAGEMENT ACT; (3) CLARIFY THE DISTINCTION BETWEEN A PUBLIC HEARING AND A PUBLIC MEETING IN CONNECTION WITH AN APPLICATION FOR A WATER QUALITY PERMIT; (4) ALLOW THE ENVIRONMENTAL MANAGEMENT COMMISSION TO DELEGATE ITS POWERS BY RESOLUTION RATHER THAN BY RULE; (5) CLARIFY THE ASSESSMENT OF CIVIL PENALTIES FOR CONTINUING VIOLATIONS OF AIR QUALITY STANDARDS; (6) REESTABLISH A SCHEDULE OF SIX-YEAR STAGGERED TERMS FOR THE MINING COMMISSION; AND (7) REESTABLISH A SCHEDULE OF TWO-YEAR STAGGERED TERMS FOR THE NORTH CAROLINA PARKS AND RECREATION AUTHORITY, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

On motion of Representative Culp, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (107-0), and the bill is ordered enrolled and presented to the Governor by Special Message.

Senate Committee Substitute for **H.B. 452**, A BILL TO BE ENTITLED AN ACT TO AMEND THE BEACH PLAN PARTICIPATION FORMULA AND REVISE OTHER STATUTES RELATED TO THE BEACH PLAN.

On motion of Representative Redwine, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (108-1), and the bill is ordered enrolled and presented to the Governor by Special Message.

Senate Committee Substitute for **H.B. 537**, A BILL TO BE ENTITLED AN ACT TO PROVIDE RELIEF FOR FEDERAL RETIREES AND THE SURVIVING SPOUSES OF FEDERAL RETIREES.

On motion of Representative Grady, the House concurs in the Senate committee substitute, by electronic vote (108-2), and the bill is ordered enrolled and presented to the Governor by Special Message.

Representative Redwine states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (109-1).

Senate Committee Substitute for **H.B. 652**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AMENDMENTS TO THE STATUTES GOVERNING THE OFFICE OF THE STATE AUDITOR.

On motion of Representative Sherrill, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (110-1), and the bill is ordered enrolled and presented to the Governor by Special Message.

H.B. 853, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROFESSIONAL CORPORATION ACT TO ALLOW COLLABORATIVE PRACTICES BETWEEN PHYSICIANS AND AUDIOLOGISTS.

Representative Black requests that he be excused from voting on this bill, due to a conflict of interest, under Rule 24.1A and this request is granted.

On motion of Representative Nye, the House concurs in the Senate amendment, which changes the title, by electronic vote (108-1), and the bill is ordered enrolled and presented to the Governor by Special Message.

Senate Committee Substitute for **H.B. 1132**, A BILL TO BE ENTITLED AN ACT TO MAKE IT A CRIMINAL OFFENSE TO CONTAMINATE FOOD OR DRINK WITH ANY SUBSTANCE THAT WOULD RENDER A PERSON MENTALLY INCAPACITATED OR PHYSICALLY HELPLESS WITH THE INTENT OF COMMITTING A CRIME AGAINST THAT PERSON.

On motion of Representative R. Hunter, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (110-0), and the bill is ordered enrolled and presented to the Governor by Special Message.

Senate Committee Substitute No. 2 for **H.B. 1142**, A BILL TO BE ENTITLED AN ACT TO WAIVE TUITION FOR CHILDREN OR SPOUSES OF CERTAIN EMERGENCY WORKERS KILLED OR DISABLED IN THE LINE OF DUTY.

On motion of Representative Redwine, the House concurs in Senate Committee Substitute No. 2, by electronic vote (111-0), and the bill is ordered enrolled and presented to the Governor by Special Message.

House Committee Substitute for **S.B. 573**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A CAMPAIGN STANDARDS CODE TO BE ENFORCED BY A CAMPAIGN STANDARDS COMMISSION; TO CHANGE THE DEADLINES AND PROCEDURES BY WHICH NEW PARTIES MAY GAIN BALLOT ACCESS AND CHOOSE CANDIDATES, TO ALLOW VOTERS TO RETAIN OFFICIAL AFFILIATION WITH AN EXPIRED PARTY, TO MAKE CERTAIN CHANGES TO EQUALIZE CANDIDACY REQUIREMENTS, AND TO REMOVE CERTAIN COURT-INVALIDATED REQUIREMENTS FROM THE PETITION PROCEDURES FOR NEW PARTIES, UNAFFILIATED CANDIDATES, AND WRITE-IN CANDIDATES; TO CLOSE THE CONTRIBUTION-LIMIT LOOPHOLE FOR SECOND PRIMARIES; TO REQUIRE VOTER IDENTIFICATION; AND TO ROTATE BALLOT ALIGNMENT OF POLITICAL PARTIES.

On motion of Representative Justus, the bill is withdrawn from the Calendar and re-referred to the Committee on Election Law and Campaign Reform.

House Committee Substitute for **S.B. 719**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE PURPOSES FOR WHICH THE GOLDSBORO ROOM OCCUPANCY TAX MAY BE USED AND TO MAKE TECHNICAL AND CONFORMING CHANGES, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Black, Blue, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Esposito, Fitch, Fox, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Redwine, Reynolds, Rogers, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 104.

Voting in the negative: None.

Excused absences: Representatives Berry, Gardner, Hardaway, McMahan, Russell, and Watson - 6.

House Committee Substitute for **S.B. 636**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ESTABLISHMENT OF LOCAL PUBLIC HEALTH AUTHORITIES, AS RECOMMENDED BY THE NORTH CAROLINA PUBLIC HEALTH COMMISSION.

Representative Moore offers Amendment No. 1 which is adopted by electronic vote (108-0).

Representative Hardy offers Amendment No. 2 which is adopted by electronic vote (92-8).

Representative Davis states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". Representative Adams states that her voting equipment malfunctioned and she requests to be recorded as voting "no". These requests are granted. The adjusted vote total is (92-9).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate for concurrence in House committee substitute by Special Message.

Those voting in the affirmative are: Representatives Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Redwine, Reynolds, Rogers, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 108.

Voting in the negative: Representatives Adams and H. Hunter - 2.

Excused absences: Representatives Berry, Gardner, Hardaway, McMahan, Russell, and Watson - 6.

Committee Substitute No. 2 for **S.B. 39**, A BILL TO BE ENTITLED AN ACT TO REVISE THE SETOFF DEBT COLLECTION ACT, passes its third reading, by the following vote, and is ordered enrolled and presented to the Governor by Special Message.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Black, Blue, Bonner, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, Mercer, Michaux, Miller, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Redwine, Reynolds, Rogers, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 107.

Voting in the negative: None.

Excused absences: Representatives Berry, Gardner, Hardaway, McMahan, Russell, and Watson - 6.

Committee Substitute for **S.B. 712**, A BILL TO BE ENTITLED AN ACT TO CERTIFY CLINICAL ADDICTIONS SPECIALISTS, PROVIDE SPECIFIC AUTHORITY FOR CERTIFICATION OF CLINICAL SUPERVISORS AND RESIDENTIAL FACILITY DIRECTORS, AND TO MAKE A TECHNICAL CHANGE, passes its third reading, by the following vote, and is ordered enrolled and presented to the Governor by Special Message.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Goodwin, Grady, Gray, Gulley, Hackney, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary,

Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Redwine, Reynolds, Rogers, Saunders, Sexton, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Weatherly, Wilkins, C. Wilson, Womble, Wood, Wright, and Yongue - 106.

Voting in the negative: None.

Excused absences: Representatives Berry, Gardner, Hardaway, McMahan, Russell, and Watson - 6.

House Committee Substitute No. 2 for **S.B. 232**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE, SUBJECT TO A VOTE OF THE QUALIFIED VOTERS OF THE STATE, TO PROVIDE FUNDS FOR GRANTS, LOANS, AND REVOLVING LOANS TO LOCAL GOVERNMENT UNITS FOR WATER SUPPLY SYSTEMS, WASTEWATER COLLECTION SYSTEMS, WASTEWATER TREATMENT WORKS, AND WATER CONSERVATION PROJECTS AND TO REDUCE INHERITANCE TAXES, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate for concurrence in House Committee Substitute Bill No. 2 by Special Message.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Braswell, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Insko, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, Luebke, McAllister, McComas, McCombs, McCrary, Mercer, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Redwine, Reynolds, Rogers, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 111.

Voting in the negative: None.

Excused absences: Representatives Berry, Gardner, Hardaway, McMahan, Russell, and Watson - 6.

House Committee Substitute for **S.B. 841**, A BILL TO BE ENTITLED AN ACT TO ALLOW FOREIGN CORPORATIONS TO DEDUCT EXPENSES RELATED TO DEDUCTIBLE SUBSIDIARY DIVIDENDS TO THE SAME EXTENT AS NORTH CAROLINA CORPORATIONS, TO CLARIFY THE TREATMENT OF DIVIDENDS AS BUSINESS OR NONBUSINESS INCOME, AND TO ALLOW LOCAL BOARDS OF EDUCATION TO OBTAIN REFUNDS OF SALES AND USE TAXES, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Beall, Black, Blue, Bonner, Bowie, Boyd-McIntyre, Brawley, Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Dedmon, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Goodwin, Grady, Gray, Gulley, Hall, Hardy, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, R. Hunter, Hurley, Ives, Jarrell, Jeffus, Justus, Kinney, Kiser, McAllister, McComas, McCombs, McCrary, Mercer, Miller, Miner, Mitchell, Moore, Morgan, Morris, Mosley, Neely, Nesbitt, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Redwine, Reynolds, Rogers, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Warwick, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 102.

Voting in the negative: Representatives Hackney, H. Hunter, Insko, and Luebke - 4.

Excused absences: Representatives Berry, Dickson, Gardner, Hardaway, McMahan, Russell, and Watson - 7.

Representative Fitch states that his voting equipment malfunctioned and he requests to be recorded as voting "no". This request is granted. The adjusted vote total is (102-5).

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate:

Senate Committee Substitute for **H.B. 39**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE INCORPORATION OF THE TOWN OF SWEPSONVILLE AND THE SIMULTANEOUS DISSOLUTION OF

THE SWEPSONVILLE SANITARY DISTRICT, is returned for concurrence in Senate committee substitute and, without objection, is placed on today's Calendar.

Upon concurrence, the Senate committee substitute changes the title.

Senate Committee Substitute for **H.B. 72**, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF OAK RIDGE, SUBJECT TO A REFERENDUM, is returned for concurrence in Senate committee substitute and referred to the Committee on Rules, Calendar, and Operations of the House.

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber

August 28, 1997

Mr. Speaker:

On **H.B. 431** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PERMIT THE GARNISHMENT OF WAGES TO RECOUP FRAUDULENT OR ERRONEOUS PUBLIC ASSISTANCE PROGRAM PAYMENTS, TO PROVIDE INVESTIGATORY SUBPOENA POWER TO COUNTY DEPARTMENTS OF SOCIAL SERVICES AND THE DEPARTMENT OF HUMAN RESOURCES, AND TO CREATE AN OFFENSE FOR ILLEGAL POSSESSION OR USE OF FOOD STAMPS, which Senate Committee Substitute bill proposes to change the title, upon concurrence, to read **H.B. 431** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT THE GARNISHMENT OF WAGES TO RECOUP FRAUDULENT PUBLIC ASSISTANCE PROGRAM PAYMENTS AND TO CREATE OFFENSES FOR ILLEGAL POSSESSION OR USE OF FOOD STAMPS, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees to the end that when a similar action has been taken on the part of your Honorable Body, the Speaker may order the bill enrolled.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

The Speaker orders the bill enrolled and presented to the Governor by Special Message.

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber

August 28, 1997

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute bill No. 3 to **S.B. 1** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REFORM THE CAMPAIGN LAWS OF NORTH CAROLINA, which House Committee Substitute bill No. 3 proposes to change the title, upon concurrence, to read **S.B. 1** (House Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO CHANGE THE FILING SCHEDULE OF CAMPAIGN REPORTS; TO REQUIRE THE LISTING OF A CONTRIBUTOR'S PRINCIPAL OCCUPATION AND TO PROVIDE FOR A "BEST EFFORTS" RULE; TO REQUIRE THAT COORDINATED PARTY EXPENDITURES BE REPORTED; TO EXPAND REPORTING IN LOCAL ELECTIONS AND REFERENDA AND TO SET A THREE THOUSAND DOLLAR THRESHOLD FOR REPORTING GENERALLY; TO REQUIRE ELECTRONIC FILING OF CERTAIN CAMPAIGN REPORTS AND INTERNET ACCESS; TO PROVIDE FOR CIVIL PENALTIES FOR LATE FILING OF CAMPAIGN REPORTS; TO CLOSE THE SECOND PRIMARY LOOPHOLE FOR CONTRIBUTION LIMITS; TO REWRITE AND EXPAND THE LIMITS ON FUND-RAISING DURING LEGISLATIVE SESSIONS; TO CHANGE THE METHOD FOR DISTRIBUTING MONEY FROM THE POLITICAL PARTIES FINANCING FUND; TO REQUIRE THE DISCLOSURE OF SPENDING FOR MATERIAL THAT NAMES CANDIDATES; TO DISCLOSE THE FLOW OF MONEY THROUGH NORTH CAROLINA AND NATIONAL POLITICAL ORGANIZATIONS AND TO PROHIBIT A COUNCIL OF STATE MEMBER FROM USING STATE FUNDS FOR ADS AND ANNOUNCEMENTS WITHIN A YEAR BEFORE AN ELECTION CONTAINING THE MEMBER'S NAME, PICTURE, OR VOICE, and requests conferees. The President Pro Tempore appoints:

Senator Gulley, Chairman
Senator Cooper
Senator Winner
Senator Shaw of Guilford

on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

The Speaker appoints Representative C. Wilson, Chair; Representatives Cansler, Gray, Baddour, and Shubert as conferees on the part of the House and the Senate is so notified by Special Message.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

S.J.R. 1089, A JOINT RESOLUTION SETTING THE TIME FOR ADJOURNMENT OF THE 1997 GENERAL ASSEMBLY TO MEET IN 1998, AND LIMITING THE SUBJECTS THAT MAY BE CONSIDERED IN THAT SESSION, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
August 28, 1997

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute bill to **S.B. 424** (Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING ANNEXATION OF NONCONTIGUOUS AREAS BY THE TOWNS OF APEX, FUQUAY-VARINA, KNIGHTDALE, AND WAKE FOREST, which House Committee Substitute bill proposes to change the title, upon concurrence, to read **S.B. 424** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING

ANNEXATION OF NONCONTIGUOUS AREAS BY THE TOWNS OF APEX, FUQUAY-VARINA, KNIGHTDALE, RALEIGH, AND WAKE FOREST, TO PROVIDE STAGGERED TERMS FOR THE TOWN OF COMMISSIONERS OF LEE COUNTY SHALL CONSIST OF SEVEN MEMBERS ELECTED AT LARGE FOR FOUR-YEAR STAGGERED TERMS ON A NONPARTISAN BASIS AT THE TIME OF THE GENERAL ELECTION, AND TO CHANGE THE ANNEXATION LAWS, and requests conferees. The President Pro Tempore appoints:

Senator Miller, Chair

Senator Reeves

Senator Hartsell

on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

The Speaker appoints Representative Miner, Chair; Representatives Neely, Hall, and Blue as conferees on the part of the House and the Senate is so notified by Special Message.

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
August 28, 1997

Mr. Speaker:

On **H.B. 1156**, (Committee Substitute) A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO DEVELOP A SPECIAL REGISTRATION PLATE FOR SUPPORTERS OF THE MARCH OF DIMES AND TO PROVIDE THAT A PORTION OF THE MONEY GENERATED FROM THE SPECIAL PLATES WILL BE GIVEN TO THE MARCH OF DIMES BIRTH DEFECTS FOUNDATION, which Senate Committee Substitute bill proposes to change the title, upon concurrence, to read **H.B. 1156** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE

DEVELOPMENT OF SPECIAL REGISTRATION PLATES FOR SUPPORTERS OF THE MARCH OF DIMES, SCHOOL TECHNOLOGY, AND SCENIC RIVERS AND TO AUTHORIZE THE DEVELOPMENT OF A REGISTRATION PLATE FOR WAR VETERANS, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees and the title becomes **H.B. 1156** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEVELOPMENT OF SPECIAL REGISTRATION PLATES FOR SUPPORTERS OF THE MARCH OF DIMES, SCHOOL TECHNOLOGY, AND SCENIC RIVERS AND TO AUTHORIZE THE DEVELOPMENT OF A REGISTRATION PLATE FOR COMBAT VETERANS, to the end that when a similar action has been taken on the part of your Honorable Body, the Speaker may order the bill enrolled.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

The Speaker orders the bill enrolled and presented to the Governor by Special Message.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committee are presented:

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

House Committee Substitute for **S.B. 550**, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 89C OF THE GENERAL STATUTES TO PROVIDE THAT THE DESIGN OF LAND APPLICATION IRRIGATION SYSTEMS FOR ANIMAL WASTE MANAGEMENT SYSTEMS MAY BE PERFORMED BY IRRIGATION DESIGN TECHNICAL SPECIALISTS AND CONCERNING AGRICULTURAL BEST MANAGEMENT PRACTICES, AND CLARIFYING THAT THE ENVIRONMENTAL MANAGEMENT COMMISSION MAY REQUIRE INDIVIDUAL AS WELL AS GENERAL PERMITS FOR ANIMAL WASTE MANAGEMENT SYSTEMS, with a favorable report as to House Committee Substitute Bill No. 2, which changes the title, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 2 is placed on the Calendar. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

House Committee Substitute for **S.B. 843**, A BILL TO BE ENTITLED AN ACT TO REPEAL OBSOLETE LAWS AND MAKE TECHNICAL AND CLARIFYING AMENDMENTS AND CORRECTIONS IN VARIOUS INSURANCE STATUTES; AND TO EXTEND THE EXPIRATION DATE OF THE 1986 RISK SHARING PLAN LAW, with a favorable report as to House Committee Substitute Bill No. 2, which changes the title, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 2 is placed on the Calendar. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 932**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH HEALTH BENEFIT PLAN REPORTING AND DISCLOSURE REQUIREMENTS AND MAKE IMPROVEMENTS IN THE OPERATIONS OF HEALTH MAINTENANCE ORGANIZATIONS IN NORTH CAROLINA, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

House Committee Substitute No. 2 for **S.B. 992**, A BILL TO BE ENTITLED AN ACT AMENDING THE LAWS RELATED TO THE NORTH CAROLINA BOXING COMMISSION AND TO INCREASE THE GROSS RECEIPTS TAX ON BOXING, KICKBOXING, AND TOUGHMAN EVENTS, with a favorable report as to House Committee Substitute Bill No. 3, which changes the title, unfavorable as to House Committee Substitute Bill No. 2.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 3 is placed on the Calendar. House Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

CONFERENCE REPORT

Representative Decker sends forth the Conference Report on House

Committee Substitute for **S.B. 676**, A BILL TO BE ENTITLED AN ACT TO AMEND THE SEXUAL OFFENDER REGISTRATION PROGRAM TO COMPLY WITH FEDERAL LAW. Without objection, the Conference Report is placed on today's Calendar.

CONFERENCE REPORT

Representative Daughtry sends forth the Conference Report on Senate Committee Substitute for **H.B. 1140**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT COMMUNITY SERVICE BE IMPOSED FOR A CONVICTION OF LITTERING. Without objection, the Conference Report is placed on today's Calendar.

On motion of the Chair, the House recesses at 12:24 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Senate Committee Substitute for **H.B. 39**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE INCORPORATION OF THE TOWN OF SWEPSONVILLE AND THE SIMULTANEOUS DISSOLUTION OF THE SWEPSONVILLE SANITARY DISTRICT.

Representative Blue requests that he be excused from voting on this bill, due to a potential conflict with client's interest, under Rule 24.1A and this request is granted.

On motion of Representative Allred, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (100-0), and the bill is ordered enrolled.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Senate Committee Substitute for **H.B. 786**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF CONCORD TO ALLOW THE CITY MANAGER TO APPOINT THE FINANCE DIRECTOR AND THE CITY CLERK.

The Speaker rules the Senate committee substitute not to be material.

On motion of Representative Moore, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (101-0), and the bill is ordered enrolled.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Senate Committee Substitute for **H.B. 435**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES IN THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN.

On motion of Representative Dockham, the House concurs in the Senate committee substitute, by electronic vote (101-0), and the bill is ordered enrolled and presented to the Governor by Special Message.

Pursuant to Rule 36(a), the following resolution appears on today's Calendar.

H.J.R. 1238, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENT OF ROBERT V. OWENS, JR. MADE BY THE GOVERNOR TO MEMBERSHIP ON THE NORTH CAROLINA UTILITIES COMMISSION, passes its second reading, by electronic vote (87-20), and there being no objection is read a third time.

Representative Thompson requests and is granted permission to change his vote from "no" to "aye". The adjusted vote total is (88-19).

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan, and without objection, House Committee Substitute No. 2 for **S.B. 843**, A BILL TO BE ENTITLED AN ACT TO REPEAL OBSOLETE LAWS AND MAKE TECHNICAL AND CLARIFYING AMENDMENTS AND CORRECTIONS IN VARIOUS INSURANCE STATUTES; TO EXTEND THE EXPIRATION DATE OF THE 1986 RISK SHARING PLAN LAW; TO PROVIDE FOR THE LICENSING AND REGULATION OF ENTITIES THAT ADMINISTER WORKERS' COMPENSATION INSURANCE FOR GROUPS OF EMPLOYERS THAT SELF-INSURE; AND TO AMEND THE LAW

GOVERNING AGENTS INCLUDING AUTHORIZING PERSONS IN AGENTS' OFFICES TO CALL FOR POLICY EXPIRATIONS, is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 932**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS GOVERNING HEALTH BENEFIT PLAN REPORTING AND DISCLOSURE REQUIREMENTS; TO MAKE IMPROVEMENTS IN THE OPERATIONS OF HEALTH MAINTENANCE ORGANIZATIONS IN NORTH CAROLINA; TO ESTABLISH STANDARDS FOR COVERAGE AND PROVIDER NETWORKS UNDER HEALTH INSURANCE POLICIES AND MANAGED CARE PLANS; TO REWRITE AND MODERNIZE THE LAWS ON INSURERS OFFERING PREFERRED PROVIDER BENEFIT PLANS, PREFERRED PROVIDER ORGANIZATIONS, AND PREFERRED PROVIDER BENEFIT PLANS WITH RESPECT TO COVERAGE DETERMINATIONS, MEDICAL NECESSITY, NONDISCRIMINATION AGAINST HIGH-RISK POPULATIONS, SERVICES OUTSIDE PROVIDER NETWORKS WHEN PARTICIPATING PROVIDERS ARE NOT REASONABLY AVAILABLE, AND CONTINUING CARE RETIREMENT COMMUNITY RESIDENTS; TO AMEND THE LAWS TO PROVIDE PARITY BETWEEN HEALTH MAINTENANCE ORGANIZATION POINT-OF-SERVICE PRODUCTS AND PREFERRED PROVIDER BENEFIT PLANS WITH RESPECT TO REIMBURSEMENT DIFFERENTIALS FOR COVERAGE OF HEALTH CARE PROVIDED BY NONPARTICIPATING PROVIDERS; AND TO ESTABLISH PROCEDURES AND RIGHTS FOR MANAGED CARE PLAN MEMBERS IN UTILIZATION REVIEW DECISIONS AND GRIEVANCES AGAINST MANAGED CARE ORGANIZATIONS.

On motion of the Chair, the bill is temporarily displaced.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 122**, A BILL TO BE ENTITLED AN ACT TO ALLOW A CONTRACTOR ON A PUBLIC PROJECT, ON BEHALF OF A SUBCONTRACTOR, TO FILE AN ACTION AGAINST THE OWNER REGARDING A CLAIM ARISING OUT OF THE CONTRACT BETWEEN THE SUBCONTRACTOR AND THE

CONTRACTOR FOR THE SAME PROJECT THAT IS THE SUBJECT OF THE CONTRACT BETWEEN THE CONTRACTOR AND THE OWNER AND TO MAKE NO DAMAGE FOR DELAY CLAUSES IN PUBLIC CONTRACTS UNENFORCEABLE.

Representative Cansler offers Amendment No. 1 which is adopted by electronic vote (108-0).

The bill, as amended, passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate for concurrence in House committee substitute by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 445, A BILL TO BE ENTITLED AN ACT TO ALLOW THE NORTH CAROLINA BOARD OF NURSING TO ENTER INTO INTERSTATE COMPACTS TO FACILITATE THE PRACTICE AND REGULATION OF NURSING, passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **S.B. 483**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE AMOUNT PAID TO PHYSICIANS TO READ X-RAY FILMS FOR THE DUSTY TRADES PROGRAM, passes its second reading, by electronic vote (108-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 488, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROCESS OF SELECTING THE CHAIR OF THE VOCATIONAL REHABILITATION ADVISORY COUNCIL TO CONFORM WITH FEDERAL LAW AND TO PROVIDE THAT THE CHAIR'S TERM

SHALL NOT EXCEED THREE YEARS, passes its second reading, by electronic vote (104-1), and there being no objection is read a third time.

Representative Baddour requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (105-1).

The bill passes its third reading and is ordered enrolled and presented to the Governor by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 595, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE NORTH CAROLINA MEDICAL BOARD TO LICENSE INSTEAD OF APPROVE PHYSICIAN ASSISTANTS, TO ISSUE A PHYSICIAN ASSISTANT LIMITED VOLUNTEER LICENSE, AND TO MAKE OTHER CHANGES IN THE STATUTES REGULATING PHYSICIAN ASSISTANTS.

On motion of Representative Morgan, the bill is temporarily displaced.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute No. 2 for **S.B. 550, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 89C OF THE GENERAL STATUTES TO PROVIDE THAT THE DESIGN OF LAND APPLICATION IRRIGATION SYSTEMS FOR ANIMAL WASTE MANAGEMENT SYSTEMS MAY BE PERFORMED BY IRRIGATION DESIGN TECHNICAL SPECIALISTS AND CONCERNING AGRICULTURAL BEST MANAGEMENT PRACTICES**, passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 744, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING GRANDPARENTS' LIABILITY FOR CERTAIN CHILD SUPPORT.

Representative Culpepper raises a point of order and inquires if the bill is eligible for consideration if it is identical to the original **H.B. 415, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING**

GRANDPARENTS' LIABILITY FOR CERTAIN CHILD SUPPORT, which was reported unfavorably from the Judiciary Committee after a committee substitute was reported favorably.

On motion of Representative Morgan, the bill is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 851**, A BILL TO BE ENTITLED AN ACT REGARDING ADULT CARE HOME LICENSES.

On motion of Representative Hensley, the bill is temporarily displaced.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 853**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE SECRETARY OF THE DEPARTMENT OF REVENUE TO APPOINT EMPLOYEES OF THE DEPARTMENT AS REVENUE LAW ENFORCEMENT AGENTS TO ENFORCE THE EXCISE TAXES ON UNAUTHORIZED SUBSTANCES AND THE CRIMINAL PROVISIONS OF THE REVENUE LAWS.

On motion of Representative Michaux, the bill is temporarily displaced.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute No. 3 for **S.B. 992**, A BILL TO BE ENTITLED AN ACT AMENDING THE LAWS RELATED TO THE NORTH CAROLINA BOXING COMMISSION AND SUNSETTING THIS ACT ON AUGUST 1, 1998, passes its second reading, by electronic vote (99-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

House Committee Substitute for **S.B. 932**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS GOVERNING HEALTH BENEFIT PLAN REPORTING AND DISCLOSURE REQUIREMENTS; TO MAKE IMPROVEMENTS IN THE OPERATIONS OF HEALTH MAINTENANCE ORGANIZATIONS IN NORTH CAROLINA; TO ESTABLISH STANDARDS FOR COVERAGE AND PROVIDER

NETWORKS UNDER HEALTH INSURANCE POLICIES AND MANAGED CARE PLANS; TO REWRITE AND MODERNIZE THE LAWS ON INSURERS OFFERING PREFERRED PROVIDER BENEFIT PLANS, PREFERRED PROVIDER ORGANIZATIONS, AND PREFERRED PROVIDER BENEFIT PLANS WITH RESPECT TO COVERAGE DETERMINATIONS, MEDICAL NECESSITY, NONDISCRIMINATION AGAINST HIGH-RISK POPULATIONS, SERVICES OUTSIDE PROVIDER NETWORKS WHEN PARTICIPATING PROVIDERS ARE NOT REASONABLY AVAILABLE, AND CONTINUING CARE RETIREMENT COMMUNITY RESIDENTS; TO AMEND THE LAWS TO PROVIDE PARITY BETWEEN HEALTH MAINTENANCE ORGANIZATION POINT-OF-SERVICE PRODUCTS AND PREFERRED PROVIDER BENEFIT PLANS WITH RESPECT TO REIMBURSEMENT DIFFERENTIALS FOR COVERAGE OF HEALTH CARE PROVIDED BY NONPARTICIPATING PROVIDERS; AND TO ESTABLISH PROCEDURES AND RIGHTS FOR MANAGED CARE PLAN MEMBERS IN UTILIZATION REVIEW DECISIONS AND GRIEVANCES AGAINST MANAGED CARE ORGANIZATIONS, which was temporarily displaced, is before the Body.

The bill passes its second reading, by electronic vote (104-0), and there being no objection is read a third time.

Representative Wright states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (105-0).

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 595, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE NORTH CAROLINA MEDICAL BOARD TO LICENSE INSTEAD OF APPROVE PHYSICIAN ASSISTANTS, TO ISSUE A PHYSICIAN ASSISTANT LIMITED VOLUNTEER LICENSE, AND TO MAKE OTHER CHANGES IN THE STATUTES REGULATING PHYSICIAN ASSISTANTS.

On motion of the Chair, the bill is temporarily displaced.

House Committee Substitute for **S.B. 851**, A BILL TO BE ENTITLED AN ACT REGARDING ADULT CARE HOME LICENSES, which was temporarily displaced, is before the Body.

The bill passes its second reading, by electronic vote (100-0), and there being no objection is read a third time.

Representative Redwine states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (101-0).

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber

August 28, 1997

Mr. Speaker:

On **S.B. 676** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE SEXUAL OFFENDER REGISTRATION PROGRAM TO COMPLY WITH FEDERAL LAW, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees to the end that when a similar action has been taken on the part of your Honorable Body the President will order the bill enrolled.

Respectfully,

S/ Janet B. Pruitt

Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

Committee Substitute for **S.B. 32**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE VARIOUS COMMISSIONS, TO CONTINUE A COUNCIL, TO DIRECT STATE AGENCIES AND LEGISLATIVE OVERSIGHT COMMITTEES AND COMMISSIONS TO STUDY SPECIFIED ISSUES, AND TO AMEND CERTAIN LAWS, is read the

first time and referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR (continued)

House Committee Substitute for **S.B. 853**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE SECRETARY OF THE DEPARTMENT OF REVENUE TO APPOINT EMPLOYEES OF THE DEPARTMENT AS REVENUE LAW ENFORCEMENT AGENTS TO ENFORCE THE EXCISE TAXES ON UNAUTHORIZED SUBSTANCES AND THE CRIMINAL PROVISIONS OF THE REVENUE LAWS, which was temporarily displaced, is before the Body.

The bill passes its second reading, by electronic vote (75-27), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

S.B. 595, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE NORTH CAROLINA MEDICAL BOARD TO LICENSE INSTEAD OF APPROVE PHYSICIAN ASSISTANTS, TO ISSUE A PHYSICIAN ASSISTANT LIMITED VOLUNTEER LICENSE, AND TO MAKE OTHER CHANGES IN THE STATUTES REGULATING PHYSICIAN ASSISTANTS, which was temporarily displaced, is before the Body.

The bill passes its second reading, by electronic vote (90-5), and there being no objection is read a third time.

Representatives Wright and Jeffus state that their voting equipment malfunctioned and they request to be recorded as voting "aye". These requests are granted. The adjusted vote total is (92-4).

The bill passes its third reading and is ordered enrolled and presented to the Governor by Special Message.

On motion of the Chair, the House recesses at 2:45 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committee are presented:

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

Committee Substitute for **S.B. 32**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE VARIOUS COMMISSIONS, TO CONTINUE A COUNCIL, TO DIRECT STATE AGENCIES AND LEGISLATIVE OVERSIGHT COMMITTEES AND COMMISSIONS TO STUDY SPECIFIED ISSUES, AND TO AMEND CERTAIN LAWS, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on today's Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 977**, A BILL TO BE ENTITLED AN ACT TO ENACT INTO LAW THE SOUTHERN DAIRY COMPACT, TO DIRECT THE APPOINTMENT OF MEMBERS FROM NORTH CAROLINA TO THE SOUTHERN DAIRY COMPACT COMMISSION, AND TO APPROPRIATE FUNDS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on today's Calendar.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 815**, A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE PRESIDENT PRO TEMPORE OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND TO MAKE RELATED STATUTORY CHANGES CONCERNING THEIR APPOINTMENTS.

On motion of Representative Nesbitt, the bill is temporarily displaced.

House Committee Substitute for S.B. 32, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE VARIOUS COMMISSIONS, TO CONTINUE A COUNCIL, TO DIRECT STATE AGENCIES AND LEGISLATIVE OVERSIGHT COMMITTEES AND COMMISSIONS TO STUDY SPECIFIED ISSUES, AND TO IMPOSE A MORATORIUM ON SERVICE CORPORATION CONVERSIONS.

On motion of Representative Hensley, the bill is temporarily displaced.

CONFERENCE REPORT

Representative Russell moves the adoption of the following Conference Report.

House Committee Substitute for S.B. 676

To: The President of the Senate
The Speaker of the House of Representatives

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 676, A BILL TO BE ENTITLED AN ACT TO AMEND THE SEXUAL OFFENDER REGISTRATION PROGRAM TO COMPLY WITH FEDERAL LAW, Seventh Edition, Corrected Copy 8/14/97, submit the following report:

The Senate concurs in the Seventh Edition, Corrected Copy 8/14/97 with the following amendments:

on page 10, line 43 through page 12, line 29,
by rewriting the lines to read:

"Part 4. Registration of Certain Juveniles Adjudicated for Committing Certain Offenses.

'§ 14-208.26. Registration of certain juveniles adjudicated delinquent for committing certain offenses.

(a) When a juvenile is adjudicated delinquent for committing a violation of G.S. 14-27.2 (first degree rape), G.S. 14-27.3 (second degree rape), G.S. 14-27.4 (first degree sexual offense), G.S. 14-27.5 (second degree sexual offense), or G.S. 14-27.6 (attempted rape or sexual offense), and the juvenile was at least eleven years of age at the time of the commission of the offense, the court shall consider whether the juvenile is a

danger to the community. If the court finds that the juvenile is a danger to the community, then the court shall consider whether the juvenile should be required to register with the county sheriff in accordance with this Part. The determination as to whether the juvenile is a danger to the community and whether the juvenile shall be ordered to register shall be made by the presiding judge at the dispositional hearing. If the judge rules that the juvenile is a danger to the community and that the juvenile shall register, then an order shall be entered requiring the juvenile to register. The court's findings regarding whether the juvenile is a danger to the community and whether the juvenile shall register shall be entered into the court record. No juvenile may be required to register under this Part unless the court first finds that the juvenile is a danger to the community.

A juvenile ordered to register under this Part shall register and maintain that registration as provided by this Part.

(b) If the court finds that the juvenile is a danger to the community and must register, the presiding judge shall conduct the notification procedures specified in G.S. 14-208.8. The chief court counselor of that district shall file the registration information for the juvenile with the appropriate sheriff.

'§ 14-208.27. Change of address.

If a juvenile who is adjudicated delinquent and required to register changes address, the court counselor for the juvenile shall provide written notice of the new address not later than the tenth day after the change to the sheriff of the county with whom the juvenile had last registered. Upon receipt of the notice, the sheriff shall immediately forward this information to the Division. If the juvenile moves to another county in this State, the Division shall inform the sheriff of the new county of the juvenile's new residence.

'§ 14-208.28. Verification of registration information.

The information provided to the sheriff shall be verified annually for each juvenile registrant as follows:

- (1) Every year on the anniversary of a juvenile's initial registration date, the sheriff shall mail a verification form to the court counselor assigned to the juvenile.
- (2) The court counselor for the juvenile shall return the verification form to the sheriff within 10 days after the receipt of the form.
- (3) The verification form shall be signed by the court counselor and the juvenile and shall indicate whether the juvenile still resides at the address last reported to the sheriff. If the juvenile has a different address, then that fact and the new address shall be indicated on the form.

'§ 14-208.29. Registration information is not public record; access to registration information available only to law enforcement agencies.

(a) Notwithstanding any other provision of law, the information regarding a juvenile required to register under this Part is not public record and is not available for public inspection.

(b) The registration information of a juvenile adjudicated delinquent and required to register under this Part shall be maintained separately by the sheriff and released only to law enforcement agencies. Under no circumstances shall the registration of a juvenile adjudicated delinquent be included in the county or statewide registries, or be made available to the public via internet.

'§ 14-208.30. Termination of registration requirement.

The requirement that a juvenile adjudicated delinquent register under this Part automatically terminates on the juvenile's eighteenth birthday or when the jurisdiction of the juvenile court with regard to the juvenile ends, whichever occurs first.

'§ 14-308.31. File with Police Information Network.

(a) The Division shall include the registration information in the Police Information Network as set forth in G.S. 114-10.1.

(b) The Division shall maintain the registration information permanently even after the registrant's reporting requirement expires; however, the records shall remain confidential in accordance with G.S. 7A-675.

'§ 14-208.32. Application of Part.

This Part does not apply to a juvenile who is tried and convicted as an adult for committing or attempting to commit a sexually violent offense or an offense against a minor. A juvenile who is convicted of one of those offenses as an adult is subject to the registration requirements of Part 2 and Part 3 of this Article." ; and

on page 15, lines 1-6,
by rewriting the lines to read:

"(4) In any case in which a juvenile, who was at least eleven years of age at the time of the offense, is adjudicated delinquent for committing a violation of G.S. 14-27.2 (first degree rape), G.S. 14-27.3 (second degree rape), 14-27.4 (first degree sexual offense), 14-27.5 (second degree sexual offense), or G.S. 14-27.6 (attempted rape or sexual offense), the judge, upon a finding that the juvenile is a danger to the community, may order that the juvenile register in accordance with Part 4 of Article 27A of Chapter 14 of the General Statutes." ; and

on page 15, lines 6-7,
by inserting between those lines the following:

"Section 1B. The Secretary of the Department of Crime Control and Public Safety shall appoint a committee to study whether a juvenile adjudicated delinquent for committing a sexually violent offense or an

offense against a minor as those terms are defined by G.S. 14-208.6 should be required to register under Article 27A of Chapter 14 of the General Statutes. In its study the committee shall consider whether if a juvenile is required to register what the procedures, requirements, termination of requirements, accessibility of registration records by law enforcement officials and by the general public, should be and shall also consider any other relevant issues.

The committee shall consist of 12 members appointed by the Secretary as follows:

- (1) Six members from a list of nominations provided by the Speaker of the House of Representatives.
- (2) Six members from a list of nominations provided by the President Pro Tempore of the Senate.

The study shall be conducted within the available funds of the Department of Crime Control and Public Safety.

The committee shall report its findings and recommendations to the 1997 General Assembly, 1998 Regular Session, upon its convening, or to the 1999 General Assembly, upon its convening." ; and

on page 4, lines 23-24,

by inserting between those lines the following:

" **§ 14-208.6B. Registration requirements for juveniles transferred to and convicted in superior court.**

A juvenile transferred to superior court pursuant to G.S. 7A-608 who is convicted of a sexually violent offense or an offense against a minor as defined in G.S. 14-208.6 shall register in accordance with this Article just as an adult convicted of the same offense must register."; and

on page 15, line 15,

by rewriting the line to read:

"Section 3. Sections 1, 1B, 2, and 3 of this act become effective April 1, 1998, except that Part 4 of Article 27A of Chapter 14 of the General Statutes becomes effective October 1, 1999. Section 1A of this act becomes effective October 1, 1999." .

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: August 28, 1997.

*Conferees for the
Senate*

*Conferees for the
House of Representatives*

S/ T. LaFontine Odom, Chairman

S/ C. B. Russell, Chair

S/ Roy Cooper

S/ Michael P. Decker, Sr.

The Conference Report is adopted, by electronic vote (101-1), and the Senate is so notified by Special Message.

CONFERENCE REPORT

Representative R. Hunter moves the adoption of the following Conference Report.

H.B. 1140

To: The President of the Senate

The Speaker of the House of Representatives

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 1140, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT COMMUNITY SERVICE BE IMPOSED FOR A CONVICTION OF LITTERING, 1st Edition, submit the following report:

The Senate recedes from Senate Amendment #1 and the House and Senate agree to the following amendment:

on page 2, lines 6 through 13, rewrite those lines to read:

"dollars (\$500.00) for the first offense. In addition, the court may require the violator to perform community service of not less than eight hours nor more than 24 hours. The community service required shall be to pick up litter if feasible, and if not feasible, to perform other labor commensurate with the offense committed. Any second or subsequent offense within three years after the date of a prior offense is punishable by a fine of not less than one hundred dollars (\$100.00) nor more than one thousand dollars (\$1,000). In addition, the court may require the violator to perform community service of not less than 16 hours nor more than 50 hours. The community service required shall be to pick up".

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: August 28, 1997.

*Conferees for the
Senate*

*Conferees for the
House of Representatives*

S/ Hamilton C. Horton Jr., Chairman S/ Leo Daughtry, Chair

S/ Frank W. Ballance, Jr. S/ Debbie Clary

S/ Allen H. Wellons S/ Edwin M. Hardy

S/ Robert C. Hunter

S/ Margaret M. Jeffus

The Conference Report is adopted, by electronic vote (105-0), and the Senate is so notified by Special Message.

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber

August 28, 1997

Mr. Speaker:

On **H.B. 1140**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT COMMUNITY SERVICE BE IMPOSED FOR A CONVICTION OF LITTERING, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees to the end that when a similar action has been taken on the part of your Honorable Body, the Speaker may order the bill enrolled.

Respectfully,

S/ Janet B. Pruitt

Principal Clerk

The Speaker orders the bill enrolled and presented to the Governor by Special Message.

CALENDAR (continued)

Committee Substitute for **S.B. 977**, A BILL TO BE ENTITLED AN ACT TO ENACT INTO LAW THE SOUTHERN DAIRY COMPACT, TO DIRECT THE APPOINTMENT OF MEMBERS FROM NORTH CAROLINA TO THE SOUTHERN DAIRY COMPACT COMMISSION, AND TO APPROPRIATE FUNDS, passes its second reading, by electronic vote (106-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor by Special Message.

House Committee Substitute for **S.B. 815**, A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE PRESIDENT PRO TEMPORE OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND TO MAKE RELATED STATUTORY CHANGES CONCERNING THEIR APPOINTMENTS, which was temporarily displaced, is before the Body.

The bill passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

House Committee Substitute for **S.B. 32**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE VARIOUS COMMISSIONS, TO CONTINUE A COUNCIL, TO DIRECT STATE AGENCIES AND LEGISLATIVE OVERSIGHT COMMITTEES AND COMMISSIONS TO STUDY SPECIFIED ISSUES, AND TO IMPOSE A MORATORIUM ON SERVICE CORPORATION CONVERSIONS, which was temporarily displaced, is before the Body.

The bill, passes its second reading, by electronic vote (103-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

Senate Committee Substitute No. 2 for **H.B. 115**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AND SESSION LAWS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is returned for concurrence in Senate Committee Substitute Bill No. 2 and without objection, is placed on today's Calendar for immediate consideration.

Upon concurrence, the Senate committee substitute changes the title.

On motion of Representative Holmes, the House does not concur in the Senate committee substitute, by electronic vote (101-4), and conferees are requested.

Representative Bowie requests and is granted permission to change her vote from "no" to "aye". The adjusted vote total is (102-3).

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

House Committee Substitute No. 2 for **S.B. 843**, A BILL TO BE ENTITLED AN ACT TO REPEAL OBSOLETE LAWS AND MAKE TECHNICAL AND CLARIFYING AMENDMENTS AND CORRECTIONS IN VARIOUS INSURANCE STATUTES; TO EXTEND THE EXPIRATION DATE OF THE 1986 RISK SHARING PLAN LAW; TO PROVIDE FOR THE LICENSING AND REGULATION OF ENTITIES THAT ADMINISTER WORKERS' COMPENSATION INSURANCE FOR GROUPS OF EMPLOYERS THAT SELF-INSURE; AND TO AMEND THE LAW GOVERNING AGENTS INCLUDING AUTHORIZING PERSONS IN AGENTS' OFFICES TO CALL FOR POLICY EXPIRATIONS, with a favorable report as to House Committee Substitute Bill No. 3, which changes the title, unfavorable as to House Committee Substitute Bill No. 2.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 3 is placed on today's Calendar. House Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

CONFEREES APPOINTED

The Speaker announces the following conferees on Senate Committee Substitute No. 2 for **H.B. 115**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AND SESSION LAWS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION: Representative Holmes, Chair; Representatives Creech, Crawford, Esposito, and Daughtry.

The Senate is so notified by Special Message.

On motion of the Chair, the House recesses at 5:52 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute No. 3 for **S.B. 843**, A BILL TO BE ENTITLED AN ACT TO REPEAL OBSOLETE LAWS AND MAKE TECHNICAL AND CLARIFYING AMENDMENTS AND CORRECTIONS IN VARIOUS INSURANCE STATUTES; TO EXTEND THE EXPIRATION DATE OF THE 1986 RISK SHARING PLAN LAW; TO PROVIDE FOR THE LICENSING AND REGULATION OF ENTITIES THAT ADMINISTER WORKERS' COMPENSATION INSURANCE FOR GROUPS OF EMPLOYERS THAT SELF-INSURE; AND TO AMEND THE LAW GOVERNING AGENTS, passes its second reading, by electronic vote (90-2), and there being no objection is read a third time.

Representative Boyd-McIntyre requests and is granted permission to change her vote from "no" to "aye". The adjusted vote total is (91-1).

The bill passes its third reading and is ordered sent to the Senate for concurrence in House Committee Substitute No. 3 by Special Message.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committee are presented:

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

H.B. 306, A BILL TO BE ENTITLED AN ACT TO DIRECTLY AFFECT THE STATE BUDGET AND AMEND THE PUBLIC LAWS, with a favorable report as to committee substitute joint resolution, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute joint resolution is placed on today's Calendar for immediate consideration. The original bill is placed on the Unfavorable Calendar.

The resolution passes its second reading, by electronic vote (102-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

S.B. 552, A BILL TO BE ENTITLED AN ACT TO PROHIBIT DISCHARGE OF FIREARMS FROM THE RIGHT-OF-WAY IN HUNTING BIG GAME, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on today's Calendar for immediate consideration. The original bill is placed on the Unfavorable Calendar.

The bill passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
August 28, 1997

Mr. Speaker:

On **S.B. 683**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DURHAM CITY COUNCIL TO DELEGATE TO THE CITY MANAGER THE AUTHORITY TO APPROVE THE PAYMENT OF FACILITIES FEES IN INSTALLMENTS, which House Committee Substitute bill proposes to change the title, upon concurrence, to read **S.B. 683** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DURHAM CITY COUNCIL TO DELEGATE TO THE CITY MANAGER THE AUTHORITY TO APPROVE THE PAYMENT OF FACILITIES FEES IN INSTALLMENTS, TO AUTHORIZE THE CITY OF BURLINGTON TO DISPOSE OF CERTAIN PROPERTY BY PRIVATE SALE, AND CONCERNING ZONING IN ALAMANCE COUNTY, it is ordered that a message be sent to the House of

Representatives with the information that the Senate adopts the report of the conferees.

Pursuant to the message that your Honorable Body has adopted the report of the conferees, the President has ordered the bill enrolled.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

On motion of the Chair, the House recesses at 6:58 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

S.B. 30, AN ACT TO ALLOW AN INCREASED PENALTY FOR SPEEDING IN A HIGHWAY WORK ZONE OF UP TO TWO HUNDRED FIFTY DOLLARS.

S.B. 122, AN ACT TO ALLOW A CONTRACTOR ON A PUBLIC PROJECT, ON BEHALF OF A SUBCONTRACTOR, TO FILE AN ACTION AGAINST THE OWNER REGARDING A CLAIM ARISING OUT OF THE CONTRACT BETWEEN THE SUBCONTRACTOR AND THE CONTRACTOR FOR THE SAME PROJECT THAT IS THE SUBJECT OF THE CONTRACT BETWEEN THE CONTRACTOR AND THE OWNER AND TO MAKE NO DAMAGE FOR DELAY CLAUSES IN PUBLIC CONTRACTS UNENFORCEABLE.

S.B. 39, AN ACT TO REVISE THE SETOFF DEBT COLLECTION ACT.

S.B. 343, AN ACT RELATING TO THE DUTIES OF HOUSING AUTHORITY COMMISSIONERS UNDER THE PROVISIONS OF ARTICLE 1 OF CHAPTER 157 OF THE GENERAL STATUTES AND TO EXEMPT THE COUNTY OF DARE AND THE TOWN OF MANTEO FROM CERTAIN REQUIREMENTS FOR PUBLIC CONTRACTS.

S.B. 445, AN ACT TO ALLOW THE NORTH CAROLINA BOARD OF NURSING TO ENTER INTO INTERSTATE COMPACTS TO FACILITATE THE PRACTICE AND REGULATION OF NURSING.

S.B. 483, AN ACT TO INCREASE THE AMOUNT PAID TO PHYSICIANS TO READ X-RAY FILMS FOR THE DUSTY TRADES PROGRAM.

S.B. 488, AN ACT TO AMEND THE PROCESS OF SELECTING THE CHAIR OF THE VOCATIONAL REHABILITATION ADVISORY COUNCIL TO CONFORM WITH FEDERAL LAW AND TO PROVIDE THAT THE CHAIR'S TERM SHALL NOT EXCEED THREE YEARS.

S.B. 550, AN ACT TO AMEND CHAPTER 89C OF THE GENERAL STATUTES TO PROVIDE THAT THE DESIGN OF LAND APPLICATION IRRIGATION SYSTEMS FOR ANIMAL WASTE MANAGEMENT SYSTEMS MAY BE PERFORMED BY IRRIGATION DESIGN TECHNICAL SPECIALISTS AND CONCERNING AGRICULTURAL BEST MANAGEMENT PRACTICES.

S.B. 553, AN ACT TO PROVIDE THAT THE STATE SHALL PAY THE COST OF ANY REQUIRED LEGAL ADVERTISING IT REQUIRES COUNTIES TO PLACE IN CONNECTION WITH ANY REFERENDUM PLACED ON THE BALLOT BY THE GENERAL ASSEMBLY; TO ALLOW A COUNTY BOARD OF ELECTIONS TO CONDUCT ONE-STOP VOTING ON ITS ELECTION-DAY VOTING EQUIPMENT AT THE COUNTY BOARD OF ELECTIONS OFFICE USING CURRENT EXCUSE REQUIREMENTS UNDER A PLAN APPROVED BY THE STATE BOARD OF ELECTIONS; AND TO ALLOW THE CATAWBA COUNTY BOARD OF ELECTIONS TO USE PAPER BALLOTS IN SECOND PRIMARY ELECTIONS WHERE VOTING SYSTEMS ARE USED IN THE FIRST PRIMARY ELECTION.

S.B. 595, AN ACT TO AUTHORIZE THE NORTH CAROLINA MEDICAL BOARD TO LICENSE INSTEAD OF APPROVE PHYSICIAN ASSISTANTS, TO ISSUE A PHYSICIAN ASSISTANT LIMITED VOLUNTEER LICENSE, AND TO MAKE OTHER CHANGES IN THE STATUTES REGULATING PHYSICIAN ASSISTANTS.

S.B. 712, AN ACT TO CERTIFY CLINICAL ADDICTIONS SPECIALISTS, PROVIDE SPECIFIC AUTHORITY FOR CERTIFICATION OF CLINICAL SUPERVISORS AND RESIDENTIAL FACILITY DIRECTORS, AND TO MAKE A TECHNICAL CHANGE.

S.B. 725, AN ACT PERTAINING TO THE FILING OF A DEFERRED CHARGE WITH THE EEOC OR THE OFFICE OF ADMINISTRATIVE HEARINGS BY STATE OF LOCAL GOVERNMENT EMPLOYEES AND AMENDING CHAPTER 143 OF THE GENERAL STATUTES TO PROVIDE FOR AN INCENTIVE BONUS PROGRAM TO RECOGNIZE AND REWARD THE COST-SAVING AND REVENUE-INCREASING INITIATIVES AND INNOVATIONS OF STATE EMPLOYEES.

S.B. 780, AN ACT REQUIRING THAT NONRESIDENT PHYSICIANS WHO TREAT PATIENTS IN THIS STATE THROUGH THE USE OF ELECTRONIC OR OTHER MEDIUMS SHALL BE LICENSED IN THIS STATE AND SHALL BE SUBJECT TO REASONABLE REGULATIONS BY THE NORTH CAROLINA MEDICAL BOARD.

S.B. 886, AN ACT AMENDING CHAPTER 126 OF THE GENERAL STATUTES TO PROVIDE FOR THE OPEN, FAIR, AND NONPOLITICAL SELECTION OF THE MOST QUALIFIED PERSONS FOR STATE GOVERNMENT EMPLOYMENT BY LIMITING POLITICAL HIRINGS; RELATING TO THE DESIGNATION OF EXEMPT POSITIONS BY THE GOVERNOR AND OTHER MEMBERS OF THE COUNCIL OF STATE; LIMITING THE POLITICAL INVOLVEMENT OF MEMBERS OF THE GENERAL ASSEMBLY IN STATE GOVERNMENT PERSONNEL DECISIONS; EXTENDING BROADER PROTECTIONS TO STATE EMPLOYEES WHO REPORT GROSS MISMANAGEMENT AND IMPROPER GOVERNMENT ACTIVITIES; AND REQUIRING THE REPORTING OF MONETARY SETTLEMENTS OF STATE GOVERNMENT PERSONNEL MATTERS AND CERTAIN PERSONNEL PRACTICES TO THE STATE PERSONNEL COMMISSION AND TO THE JOINT LEGISLATIVE COMMISSION ON GOVERNMENTAL OPERATIONS.

S.B. 929, AN ACT TO ENHANCE AND IMPROVE CHILD CARE IN NORTH CAROLINA.

H.B. 211, AN ACT TO AMEND VARIOUS ENVIRONMENTAL LAWS TO: (1) PROVIDE FOR CONTINUING EDUCATION REQUIREMENTS FOR, AND THE EXPIRATION AND RENEWAL OF, CERTIFICATES ISSUED BY THE WATER POLLUTION CONTROL SYSTEM OPERATORS CERTIFICATION COMMISSION; (2) INCLUDE CONSIDERATION OF THE COMPLIANCE HISTORY IN OTHER STATES OF AN APPLICANT FOR A PERMIT UNDER THE COASTAL AREA MANAGEMENT ACT; (3) CLARIFY THE DISTINCTION BETWEEN A PUBLIC HEARING AND A PUBLIC MEETING IN CONNECTION WITH AN APPLICATION FOR A WATER QUALITY

PERMIT; (4) ALLOW THE ENVIRONMENTAL MANAGEMENT COMMISSION TO DELEGATE ITS POWERS BY RESOLUTION RATHER THAN BY RULE; (5) CLARIFY THE ASSESSMENT OF CIVIL PENALTIES FOR CONTINUING VIOLATIONS OF AIR QUALITY STANDARDS; (6) REESTABLISH A SCHEDULE OF SIX-YEAR STAGGERED TERMS FOR THE MINING COMMISSION; (7) REESTABLISH A SCHEDULE OF TWO-YEAR STAGGERED TERMS FOR THE NORTH CAROLINA PARKS AND RECREATION AUTHORITY; AND (8) MAKE CLARIFYING, CONFORMING, AND TECHNICAL CHANGES TO VARIOUS LAWS RELATING TO ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

H.B. 431, AN ACT TO PERMIT THE GARNISHMENT OF WAGES TO RECOUP FRAUDULENT PUBLIC ASSISTANCE PROGRAM PAYMENTS AND TO CREATE OFFENSES FOR ILLEGAL POSSESSION OR USE OF FOOD STAMPS.

H.B. 435, AN ACT TO MAKE TECHNICAL CHANGES IN THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN.

H.B. 452, AN ACT TO AMEND THE BEACH PLAN PARTICIPATION FORMULA, PROVIDE FOR WINDSTORM AND HAIL INSURANCE IN COASTAL COUNTIES, AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE AVAILABILITY OF PROPERTY INSURANCE IN THE STATE, AND REVISE OTHER STATUTES RELATED TO THE INSURANCE UNDERWRITING ASSOCIATION.

H.B. 537, AN ACT TO PROVIDE RELIEF FOR FEDERAL RETIREES AND THE SURVIVING SPOUSES OF FEDERAL RETIREES.

H.B. 652, AN ACT TO AMEND THE STATUTES GOVERNING THE OFFICE OF THE STATE AUDITOR TO PROHIBIT OBSTRUCTION OF AN AUDIT.

H.B. 853, AN ACT TO AMEND THE PROFESSIONAL CORPORATION ACT TO ALLOW COLLABORATIVE PRACTICES BETWEEN PHYSICIANS AND AUDIOLOGISTS AND BETWEEN OPHTHALMOLOGISTS AND OPTOMETRISTS.

H.B. 1132, AN ACT TO ADD CERTAIN DRUGS TO SCHEDULE IV OF THE LIST OF CONTROLLED SUBSTANCES, TO MAKE IT A

CRIMINAL OFFENSE TO CONTAMINATE FOOD OR DRINK WITH ANY CONTROLLED SUBSTANCE THAT WOULD RENDER A PERSON MENTALLY INCAPACITATED OR PHYSICALLY HELPLESS, OR TO MANUFACTURE OR POSSESS SUCH A CONTROLLED SUBSTANCE UNLESS IT IS FOR MEDICAL PURPOSES.

H.B. 1142, AN ACT TO WAIVE TUITION FOR CHILDREN OR SPOUSES OF CERTAIN EMERGENCY WORKERS KILLED OR DISABLED IN THE LINE OF DUTY.

H.B. 1156, AN ACT TO AUTHORIZE THE DEVELOPMENT OF SPECIAL REGISTRATION PLATES FOR SUPPORTERS OF THE MARCH OF DIMES, SCHOOL TECHNOLOGY, AND SCENIC RIVERS AND TO AUTHORIZE THE DEVELOPMENT OF A REGISTRATION PLATE FOR COMBAT VETERANS.

ENROLLED BILLS

The following bills are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 624, AN ACT TO INCORPORATE THE TOWN OF SEDALIA.

S.B. 683, AN ACT TO AUTHORIZE THE DURHAM CITY COUNCIL TO DELEGATE TO THE CITY MANAGER THE AUTHORITY TO APPROVE THE PAYMENT OF FACILITIES FEES IN INSTALLMENTS, TO AUTHORIZE THE CITY OF BURLINGTON TO DISPOSE OF CERTAIN PROPERTY BY PRIVATE SALE, AND CONCERNING ZONING IN ALAMANCE COUNTY.

S.B. 711, AN ACT TO INCORPORATE THE TOWN OF GRANTSBORO.

S.B. 719, AN ACT TO MODIFY THE PURPOSES FOR WHICH THE GOLDSBORO ROOM OCCUPANCY TAX MAY BE USED AND TO MAKE TECHNICAL AND CONFORMING CHANGES.

H.B. 39, AN ACT TO PROVIDE FOR THE INCORPORATION OF THE TOWN OF SWEPSONVILLE AND THE SIMULTANEOUS DISSOLUTION OF THE SWEPSONVILLE SANITARY DISTRICT, SUBJECT TO REFERENDUM.

H.B. 496, AN ACT TO GRANT AUTHORITY TO THE MUNICIPALITIES LOCATED IN LEE COUNTY TO ADDRESS ABANDONED STRUCTURES IN THE SAME MANNER AS MUNICIPALITIES IN COUNTIES WITH A POPULATION OF OVER ONE HUNDRED SIXTY-THREE THOUSAND.

H.B. 566, AN ACT EXEMPTING THE WAKE COUNTY PUBLIC SCHOOL SYSTEM AND QUALIFIED NONPUBLIC SCHOOLS OF WAKE COUNTY FROM DEVELOPMENT CHARGES RELATED TO THE CONSTRUCTION, RENOVATION, AND REPAIR OF SCHOOL INFRASTRUCTURE FACILITIES IN WAKE COUNTY AND THE MUNICIPALITIES THEREIN, AND TO CHANGE SEVERAL OTHER LAWS AFFECTING WAKE COUNTY.

H.B. 600, AN ACT CLARIFYING THAT IN MODIFYING THE REQUIREMENTS FOR MAKING STREET ASSESSMENTS IN FOXFIRE VILLAGE UNDER CERTAIN CIRCUMSTANCES, UNDERGROUNDING OF UTILITIES, WHICH WAS PART OF THE PROJECT, IS ALSO SUBJECT TO ASSESSMENT.

H.B. 786, AN ACT TO AMEND THE CHARTER OF THE CITY OF CONCORD TO ALLOW THE CITY MANAGER TO APPOINT THE FINANCE DIRECTOR AND THE CITY CLERK; TO PROVIDE FOR INITIATIVE AND REFERENDUM AUTHORITY FOR THE CONCORD CITY COUNCIL AND THE CABARRUS COUNTY BOARD OF COMMISSIONERS; AND AN ACT TO AMEND THE CHARTER OF THE CITY OF DURHAM AS IT RELATES TO VOLUNTARY ANNEXATIONS, PROTEST PETITIONS, THE APPROVAL OF PAYMENT OF FACILITIES FEES, AND THE RENAMING OF THE SUBDIVISION REVIEW BOARD, AND TO AMEND THE CHARTER OF THE CITY OF SANFORD RELATING TO THE PUBLICATION OF FRANCHISE ORDINANCES.

CHAPTERED BILL

The following resolution is properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

H.J.R. 1238, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENT OF ROBERT V. OWENS, JR. MADE BY THE GOVERNOR TO MEMBERSHIP ON THE NORTH CAROLINA UTILITIES COMMISSION. (RESOLUTION 32)

SPECIAL MESSAGE FROM THE SENATE**1997 GENERAL ASSEMBLY**

Senate Chamber

August 28, 1997

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute bill to **S.B. 32**, (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE VARIOUS COMMISSIONS, TO CONTINUE A COUNCIL, TO DIRECT STATE AGENCIES AND LEGISLATIVE OVERSIGHT COMMITTEES AND COMMISSIONS TO STUDY SPECIFIED ISSUES, AND TO AMEND CERTAIN LAWS, which House Committee Substitute bill proposes to change the title, upon concurrence, to read **S.B. 32** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE VARIOUS COMMISSIONS, TO CONTINUE A COUNCIL, TO DIRECT STATE AGENCIES AND LEGISLATIVE OVERSIGHT COMMITTEES AND COMMISSIONS TO STUDY SPECIFIED ISSUES, AND TO IMPOSE A MORATORIUM ON SERVICE CORPORATION CONVERSIONS, and requests conferees. The President Pro Tempore appoints:

Senator Cooper, Chairman

Senator Forrester

Senator Ballance

on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

The Speaker appoints Representative Morgan, Chair; Representatives Crawford, Miner, and Thompson as conferees on the part of the House and the Senate is so notified by Special Message.

CONFERENCE REPORT

Representative Morgan sends forth the Conference Report on House Committee Substitute for S.B. 32, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE VARIOUS COMMISSIONS, TO CONTINUE A COUNCIL, TO DIRECT STATE AGENCIES AND LEGISLATIVE OVERSIGHT COMMITTEES AND COMMISSIONS TO STUDY SPECIFIED ISSUES, AND TO IMPOSE A MORATORIUM ON SERVICE CORPORATION CONVERSIONS. Without objection, the Conference Report is placed on today's Calendar for immediate consideration.

Representative Morgan moves the adoption of the following Conference Report.

House Committee Substitute for S.B. 32

To: The President of the Senate

The Speaker of the House of Representatives

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 32, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE VARIOUS COMMISSIONS, TO CONTINUE A COUNCIL, TO DIRECT STATE AGENCIES AND LEGISLATIVE OVERSIGHT COMMITTEES AND COMMISSIONS TO STUDY SPECIFIED ISSUES, AND TO IMPOSE A MORATORIUM ON SERVICE CORPORATION CONVERSIONS, House Committee Substitute Favorable 8/28/97, submit the following report:

The Senate and the House of Representatives agree to the following amendments to the Proposed House Committee Substitute Favorable S32-PCS7878, and the Senate concurs in the Proposed House Committee Substitute S32-PCS7878 as amended:

on page 14, lines 4-5, by rewriting those lines to read:

"a. One shall be a representative of Blue Cross Blue Shield of North Carolina, Incorporated; and";

and on page 14, lines 11-12, by rewriting those lines to read:

"a. One shall be a representative of the North Carolina Citizens for Business and Industry; and";

and on page 17, line 31, by deleting "Section 16.2" and substituting "Section 14.2";

and on page 18, line 1, by deleting "Section 16.3" and substituting "Section 14.3";

and on page 18, line 10, by deleting "H.B. 142" and substituting "H.B. 1242"; and

and on page 18, line 16, by deleting "H.B. 142" and substituting "H.B. 1242".

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: August 28, 1997.

*Conferees for the
Senate*

S/ R. A. Cooper, III, Chairman
S/ Frank W. Ballance, Jr.
S/ James S. Forrester

*Conferees for the
House of Representatives*

S/ Richard T. Morgan, Chair
S/ James W. Crawford, Jr.
S/ Gregory J. Thompson

The Conference Report is adopted, by electronic vote (86-0), and the Senate is so notified by Special Message.

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
August 28, 1997

Mr. Speaker:

Pursuant to your message received Thursday, August 28, 1997, that the House of Representatives fails to concur in the Senate Committee Substitute bill to **H.B. 115** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AND SESSION LAWS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, which Senate Committee Substitute bill No. 2 proposes to change the title,

upon concurrence, to read **H.B. 115** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AND SESSION LAWS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO MAKE OTHER TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AND SESSION LAWS, and requests conferees, the President Pro Tempore appoints:

Senator Cooper

Senator Hartsell

Senator Wellons

on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

CONFERENCE REPORT

Representative Holmes sends forth the Conference Report on Senate Committee Substitute No. 2 for **H.B. 115**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AND SESSION LAWS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. Without objection, the Conference Report is placed on today's Calendar for immediate consideration.

Representative Holmes moves the adoption of the following Conference Report.

Senate Committee Substitute No. 2 for H.B. 115

To: The President of the Senate
The Speaker of the House of Representatives

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 115, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AND

SESSION LAWS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO MAKE OTHER TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AND SESSION LAWS, Senate Finance Committee Substitute #2 Adopted 8/20/97, Seventh Edition Engrossed 8/28/97, submit the following report:

The House concurs in the Senate Finance Committee Substitute #2 Adopted 8/20/97, Seventh Edition Engrossed 8/28/97, with amendments as follows:

(1) On page 23, line 31, through page 24, line 23, by deleting those lines;

(2) On page 24, line 24, through page 24, line 39, by deleting those lines;

(3) On page 24, line 40, through page 26, line 7, by deleting those lines;

(4) On page 26, line 32, by deleting "upgrade" and substituting "upgraded";

(5) On page 27, lines 16 and 17, rewrite those lines to read: "Section 7.12(b) of Ratified Senate Bill 352, 1997 Session, reads as rewritten:

'(b) State funds that are designated to ~~match federal funds~~ for disaster relief, but that are not needed as ~~matching funds~~, for that purpose, shall revert to the General Fund."

(6) On page 27, between lines 33 and 34 by adding the following:

"Section 56.10. A person 19 years of age or older shall be financially eligible for the Adult Cystic Fibrosis Program if the person's net family income is at or below the federal poverty level in effect on July 1 of each year."

The Senate agrees to the same.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: August 28, 1997.

*Conferees for the
Senate*

S/ R. Cooper
S/ Fletcher Hartsell, Jr.
S/ Allen Wellons

*Conferees for the
House of Representatives*

S/ George M. Holmes
S/ Billy Creech
S/ James W. Crawford, Jr.
S/ Theresa H. Esposito
S/ N. Leo Daughtry

The Conference Report, which changes the title, is adopted by electronic vote (93-1), and the Senate is so notified by Special Message.

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
August 28, 1997

Mr. Speaker:

On **H.B. 115** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AND SESSION LAWS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, which Senate Committee Substitute No. 2 proposes to change the title, upon concurrence, to read **H.B. 115** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AND SESSION LAWS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO MAKE OTHER TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AND SESSION LAWS, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees to the end that when a similar action has been taken on the part of your Honorable Body, the Speaker may order the bill enrolled.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

The Speaker orders the bill enrolled and presented to the Governor by Special Message.

CONFERENCE REPORT

Representative C. Wilson sends forth the Conference Report on House Committee Substitute No. 3 for **S.B. 1**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE FILING SCHEDULE OF CAMPAIGN REPORTS; TO REQUIRE THE LISTING OF A CONTRIBUTOR'S

PRINCIPAL OCCUPATION AND TO PROVIDE FOR A "BEST EFFORTS" RULE; TO REQUIRE THAT COORDINATED PARTY EXPENDITURES BE REPORTED; TO EXPAND REPORTING IN LOCAL ELECTIONS AND REFERENDA AND TO SET A THREE THOUSAND DOLLAR THRESHOLD FOR REPORTING GENERALLY; TO REQUIRE ELECTRONIC FILING OF CERTAIN CAMPAIGN REPORTS AND INTERNET ACCESS; TO PROVIDE FOR CIVIL PENALTIES FOR LATE FILING OF CAMPAIGN REPORTS; TO CLOSE THE SECOND PRIMARY LOOPHOLE FOR CONTRIBUTION LIMITS; TO REWRITE AND EXPAND THE LIMITS ON FUND-RAISING DURING LEGISLATIVE SESSIONS; TO CHANGE THE METHOD FOR DISTRIBUTING MONEY FROM THE POLITICAL PARTIES FINANCING FUND; TO REQUIRE THE DISCLOSURE OF SPENDING FOR MATERIAL THAT NAMES CANDIDATES; TO DISCLOSE THE FLOW OF MONEY THROUGH NORTH CAROLINA AND NATIONAL POLITICAL ORGANIZATIONS AND TO PROHIBIT A COUNCIL OF STATE MEMBER FROM USING STATE FUNDS FOR ADS AND ANNOUNCEMENTS WITHIN A YEAR BEFORE AN ELECTION CONTAINING THE MEMBER'S NAME, PICTURE, OR VOICE. Without objection, the Conference Report is placed on today's Calendar for immediate consideration.

Representative C. Wilson moves the adoption of the following Conference Report. (It should be noted that any apparent errors in the following Conference Report were as the report was submitted.)

House Committee Substitute No. 3 for S.B. 1

To: The President of the Senate

The Speaker of the House of Representatives

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 1, A BILL TO BE ENTITLED AN ACT TO CHANGE THE FILING SCHEDULE OF CAMPAIGN REPORTS; TO REQUIRE THE LISTING OF A CONTRIBUTOR'S PRINCIPAL OCCUPATION AND TO PROVIDE FOR A "BEST EFFORTS" RULE; TO REQUIRE THAT COORDINATED PARTY EXPENDITURES BE REPORTED; TO EXPAND REPORTING IN LOCAL ELECTIONS AND REFERENDA AND TO SET A THREE THOUSAND DOLLAR THRESHOLD FOR REPORTING GENERALLY; TO REQUIRE ELECTRONIC FILING OF CERTAIN CAMPAIGN REPORTS AND INTERNET ACCESS; TO PROVIDE FOR CIVIL PENALTIES FOR LATE FILING OF CAMPAIGN REPORTS; TO

CLOSE THE SECOND PRIMARY LOOPHOLE FOR CONTRIBUTION LIMITS; TO REWRITE AND EXPAND THE LIMITS ON FUND-RAISING DURING LEGISLATIVE SESSIONS; TO CHANGE THE METHOD FOR DISTRIBUTING MONEY FROM THE POLITICAL PARTIES FINANCING FUND; TO REQUIRE THE DISCLOSURE OF SPENDING FOR MATERIAL THAT NAMES CANDIDATES; TO DISCLOSE THE FLOW OF MONEY THROUGH NORTH CAROLINA AND NATIONAL POLITICAL ORGANIZATIONS AND TO PROHIBIT A COUNCIL OF STATE MEMBER FROM USING STATE FUNDS FOR ADS AND ANNOUNCEMENTS WITHIN A YEAR BEFORE AN ELECTION CONTAINING THE MEMBER'S NAME, PICTURE, OR VOICE, House Committee Substitute #3 Favorable 8/13/87, Eighth Edition Engrossed 8/27/97, submit the following report:

The Senate agrees to House Committee Substitute #3 Favorable 8/13/87, Eighth Edition Engrossed 8/27/97, and the Senate and the House and Senate agree to the following amendment:

On page 3, line 12,

rewrite that line to read:

"(b) The State Board of Elections shall study the feasibility of requiring monthly reporting by campaign treasurers during even-numbered years, with weekly reports required during the month before each primary and election. The State Board shall report in writing to the General Assembly by March 1, 1998.

(c) Subsection (a) of this section becomes effective January 1, 1998, and applies to all financial activity occurring on or after that date. Subsection (b) of this section is effective when it becomes law."; and

On page 3, lines 13 through 39,

delete the language on those lines and substitute the following:

"--DONOR'S PRINCIPAL OCCUPATION; BEST EFFORTS RULE.

Section 2. (a) G.S. 163-278.11(a) (1) reads as rewritten:

'(1) Contributions. -- A list of all contributions required to be listed under G.S. 163-278.8 received by or on behalf of a candidate, political committee, or referendum committee. The statement shall list the name and complete mailing address of each contributor, the amount contributed, the principal occupation of the contributor, and the date such contribution was received. The total sum of all contributions to date shall be plainly exhibited. Forms for required reports shall be prescribed by the

Board. As used in this section, 'principal occupation of the contributor' means the contributor's:

- a. Job title or profession; and
- b. Employer's name or employer's specific field of business activity.

The State Board of Elections shall prepare a schedule of specific fields of business activity, adapting or modifying as it deems suitable the business activity classifications of the Internal Revenue Code or other relevant classification schedules. In reporting a contributor's specific field of business activity, the treasurer shall use the classification schedule prepared by the State Board.'

- (b) G.S. 163-278.11 is amended by adding a new subsection to read:

'(c) Best Efforts. -- When a treasurer shows that best efforts have been used to obtain, maintain, and submit the information required by this Article for the candidate or political committee, any report of that candidate or committee shall be considered in compliance with this Article. The State Board of Elections shall promulgate rules that specify what are 'best efforts' for purposes of this Article, adapting as it deems suitable the provisions of 11 C.F.R. § 104.7. The rules shall include the provision that if the treasurer, after complying with the rules, does not know the occupation of the contributor, it shall suffice for the treasurer to report "unable to obtain".'

(c) This section becomes effective February 1, 1998, and applies to all reports due on or after that date."; and

On page 5, line 40, through page 6, line 14,
delete the language on those lines and substituting the following:

"-- ELECTRONIC REPORTING.

Section 5. (a) G.S. 163-278.9 is amended by adding a new subsection to read:

'(i) Treasurers for the following entities shall electronically file each report required by this section that shows in excess of five thousand dollars (\$5,000) in contributions, in expenditures, or in loans, according to rules adopted by the State Board of Elections:

- (1) A candidate for statewide office;
- (2) A State, district, county, or precinct executive committee of a political party, if the committee makes contributions or independent expenditures in excess of five thousand dollars (\$5,000) that affect contests for statewide office;
- (3) A political committee that makes contributions in excess of five thousand dollars (\$5,000) to candidates for statewide office or

makes independent expenditures in excess of five thousand dollars (\$5,000) that affect contests for statewide office.

The State Board of Elections shall provide the software necessary to file an electronic report to a treasurer required to file an electronic report at no cost to the treasurer.'

(b) This section applies to reports to be filed during or after 1998."; and

On page 9, line 28,
insert after that line the following:

"(cl) Exception. -- The provisions of this section do not apply with regard to a limited contributtee during the three weeks prior to the day of a second primary if that limited contributtee is a candidate who will be on the ballot in that second primary."; and

On page 1, line 18, through page 2, line 3,
delete the language on those lines and substituting the following:

"ORGANIZATIONS; TO PROHIBIT A DECLARED COUNCIL OF STATE CANDIDATE FROM USING STATE FUNDS FOR ADS AND ANNOUNCEMENTS CONTAINING THE CANDIDATE'S NAME, PICTURE, OR VOICE DURING THE CALENDAR YEAR PRECEDING AN ELECTION; AND TO REQUIRE 12-POINT DISCLAIMERS IN OPPOSITION PRINT ADS."; and

On page 11, line 36, through page 12, line 5,
delete the language on those lines and substituting the following:

"--PROHIBIT A DECLARED COUNCIL OF STATE CANDIDATE FROM USING STATE FUNDS FOR ADS AND ANNOUNCEMENTS CONTAINING THE CANDIDATE'S NAME, PICTURE, OR VOICE DURING THE CALENDAR YEAR PRECEDING AN ELECTION.

Section 13. (a) Article 22A of Chapter 163 of the General Statutes is amended by adding a new section to read:

'§ 163-278.16A. Restriction on use of State funds by declared candidate for Council of State for advertising or public service announcements using their names, pictures, or voices.

After December 31 prior to a general election in which a Council of State office will be on the ballot, no declared candidate for that Council of State office shall use or permit the use of State funds for any advertisement or public service announcement in a newspaper, on radio, or on television that contains that declared candidate's name, picture, or voice, except in

case of State or national emergency and only if the announcement is reasonably necessary to that candidate's official function. For purposes of this section, 'declared candidate' means someone who has publicly announced an intention to run.'

(b) This section becomes effective January 1, 1998.

--REQUIRE 12-POINT DISCLAIMERS IN OPPOSITION PRINT ADS.

Section 13.1. (a) G.S. 163-278.16 is amended by adding a new subsection to read:

'(g) All printed matter for a political purpose from a political party or political committee which identifies a candidate that party or committee is opposing shall indicate in type no smaller than 12 point the name of the political party or political committee and the name of the candidate that is intended to benefit from the printed matter.'

(b) This section becomes effective December 1, 1997."

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: August 28, 1997.

*Conferees for the
Senate*

S/ Wib P. Gulley, Chairman
S/ R. A. Cooper
S/ Leslie Winner

*Conferees for the
House of Representatives*

S/ Constance K. Wilson, Chair
S/ Phillip J. Baddour
S/ Lanier Cansler
S/ Lyons Gray
S/ Fern H. Shubert

The Conference Report, which changes the title, is adopted, by electronic vote (86-5), and the Senate is so notified by Special Message.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

S.B. 636, AN ACT TO AUTHORIZE THE ESTABLISHMENT OF LOCAL PUBLIC HEALTH AUTHORITIES, AS RECOMMENDED BY THE NORTH CAROLINA PUBLIC HEALTH COMMISSION.

S.B. 851, AN ACT REGARDING ADULT CARE HOME LICENSES.

S.B. 853, AN ACT AUTHORIZING THE SECRETARY OF THE DEPARTMENT OF REVENUE TO APPOINT EMPLOYEES OF THE

DEPARTMENT AS REVENUE LAW ENFORCEMENT AGENTS TO ENFORCE THE EXCISE TAXES ON UNAUTHORIZED SUBSTANCES AND THE CRIMINAL PROVISIONS OF THE REVENUE LAWS.

S.B. 932, AN ACT TO AMEND THE LAWS GOVERNING HEALTH BENEFIT PLAN REPORTING AND DISCLOSURE REQUIREMENTS; TO MAKE IMPROVEMENTS IN THE OPERATIONS OF HEALTH MAINTENANCE ORGANIZATIONS IN NORTH CAROLINA; TO ESTABLISH STANDARDS FOR COVERAGE AND PROVIDER NETWORKS UNDER HEALTH INSURANCE POLICIES AND MANAGED CARE PLANS; TO REWRITE AND MODERNIZE THE LAWS ON INSURERS OFFERING PREFERRED PROVIDER BENEFIT PLANS, PREFERRED PROVIDER ORGANIZATIONS, AND PREFERRED PROVIDER BENEFIT PLANS WITH RESPECT TO COVERAGE DETERMINATIONS, MEDICAL NECESSITY, NONDISCRIMINATION AGAINST HIGH-RISK POPULATIONS, SERVICES OUTSIDE PROVIDER NETWORKS WHEN PARTICIPATING PROVIDERS ARE NOT REASONABLY AVAILABLE, AND CONTINUING CARE RETIREMENT COMMUNITY RESIDENTS; TO AMEND THE LAWS TO PROVIDE PARITY BETWEEN HEALTH MAINTENANCE ORGANIZATION POINT-OF-SERVICE PRODUCTS AND PREFERRED PROVIDER DIFFERENTIALS FOR COVERAGE OF HEALTH CARE PROVIDED BY NONPARTICIPATING PROVIDERS; AND TO ESTABLISH PROCEDURES AND RIGHTS FOR MANAGED CARE PLAN MEMBERS IN UTILIZATION REVIEW DECISIONS AND GRIEVANCES AGAINST MANAGED CARE ORGANIZATIONS.

S.B. 977, AN ACT TO ENACT INTO LAW THE SOUTHERN DAIRY COMPACT, TO DIRECT THE APPOINTMENT OF MEMBERS FROM NORTH CAROLINA TO THE SOUTHERN DAIRY COMPACT COMMISSION, AND TO APPROPRIATE FUNDS.

S.B. 992, AN ACT AMENDING THE LAWS RELATED TO THE NORTH CAROLINA BOXING COMMISSION AND SUNSETTING THIS ACT ON AUGUST 1, 1998.

CHAPTERED BILL

The following resolution is properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

H.J.R. 306, A JOINT RESOLUTION SETTING THE TIME FOR ADJOURNMENT OF THE 1997 GENERAL ASSEMBLY TO MEET IN

1998 AND LIMITING THE SUBJECTS THAT MAY BE CONSIDERED IN THAT SESSION. (RESOLUTION 33)

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber

August 28, 1997

Mr. Speaker:

On **S.B. 1** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REFORM THE CAMPAIGN LAWS OF NORTH CAROLINA, which House Committee Substitute bill No. 3 proposes to change the title, upon concurrence, to read **S.B. 1**, (House Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO CHANGE THE FILING SCHEDULE OF CAMPAIGN REPORTS; TO REQUIRE THE LISTING OF A CONTRIBUTOR'S PRINCIPAL OCCUPATION AND TO PROVIDE FOR A "BEST EFFORTS" RULE; TO REQUIRE THAT COORDINATED PARTY EXPENDITURES BE REPORTED; TO EXPAND REPORTING IN LOCAL ELECTIONS AND REFERENDA AND TO SET A THREE THOUSAND DOLLAR THRESHOLD FOR REPORTING GENERALLY; TO REQUIRE ELECTRONIC FILING OF CERTAIN CAMPAIGN REPORTS AND INTERNET ACCESS; TO PROVIDE FOR CIVIL PENALTIES FOR LATE FILING OF CAMPAIGN REPORTS; TO CLOSE THE SECOND PRIMARY LOOPHOLE FOR CONTRIBUTION LIMITS; TO REWRITE AND EXPAND THE LIMITS ON FUND-RAISING DURING LEGISLATIVE SESSIONS; TO CHANGE THE METHOD FOR DISTRIBUTING MONEY FROM THE POLITICAL PARTIES FINANCING FUND; TO REQUIRE THE DISCLOSURE OF SPENDING FOR MATERIAL THAT NAMES CANDIDATES; TO DISCLOSE THE FLOW OF MONEY THROUGH NORTH CAROLINA AND NATIONAL POLITICAL ORGANIZATIONS AND TO PROHIBIT A COUNCIL OF STATE MEMBER FROM USING STATE FUNDS FOR ADS AND ANNOUNCEMENTS WITHIN A YEAR BEFORE AN ELECTION CONTAINING THE MEMBER'S NAME, PICTURE, OR VOICE, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees and the title becomes **S.B. 1**, (House Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO CHANGE THE FILING SCHEDULE OF CAMPAIGN REPORTS; TO REQUIRE THE LISTING

OF A CONTRIBUTOR'S PRINCIPAL OCCUPATION AND TO PROVIDE FOR A "BEST EFFORTS" RULE; TO REQUIRE THAT COORDINATED PARTY EXPENDITURES BE REPORTED; TO EXPAND REPORTING IN LOCAL ELECTIONS AND REFERENDA AND TO SET A THREE THOUSAND DOLLAR THRESHOLD FOR REPORTING GENERALLY; TO REQUIRE ELECTRONIC FILING OF CERTAIN CAMPAIGN REPORTS AND INTERNET ACCESS; TO PROVIDE FOR CIVIL PENALTIES FOR LATE FILING OF CAMPAIGN REPORTS; TO CLOSE THE SECOND PRIMARY LOOPHOLE FOR CONTRIBUTION LIMITS; TO REWRITE AND EXPAND THE LIMITS ON FUND-RAISING DURING LEGISLATIVE SESSIONS; TO CHANGE THE METHOD FOR DISTRIBUTING MONEY FROM THE POLITICAL PARTIES FINANCING FUND; TO REQUIRE THE DISCLOSURE OF SPENDING FOR MATERIAL THAT NAMES CANDIDATES; TO DISCLOSE THE FLOW OF MONEY THROUGH NORTH CAROLINA AND NATIONAL POLITICAL ORGANIZATIONS; TO PROHIBIT A DECLARED COUNCIL OF STATE CANDIDATE FROM USING STATE FUNDS FOR ADS AND ANNOUNCEMENTS CONTAINING THE CANDIDATE'S NAME, PICTURE, OR VOICE DURING THE CALENDAR YEAR PRECEDING AN ELECTION; AND TO REQUIRE 12-POINT DISCLAIMERS IN OPPOSITION PRINT ADS to the end that when a similar action has been taken on the part of your Honorable Body, the President will order the bill enrolled.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
August 28, 1997

Mr. Speaker:

On **S.B. 32**, (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE VARIOUS COMMISSIONS, TO CONTINUE A COUNCIL, TO DIRECT STATE AGENCIES AND LEGISLATIVE OVERSIGHT COMMITTEES AND COMMISSIONS TO STUDY

SPECIFIED ISSUES, AND TO AMEND CERTAIN LAWS, which House Committee Substitute bill proposes to change the title, upon concurrence, to read **S.B. 32** (House Committee Substitute), **A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE VARIOUS COMMISSIONS, TO CONTINUE A COUNCIL, TO DIRECT STATE AGENCIES AND LEGISLATIVE OVERSIGHT COMMITTEES AND COMMISSIONS TO STUDY SPECIFIED ISSUES, AND TO IMPOSE A MORATORIUM ON SERVICE CORPORATION CONVERSIONS**, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees to the end that when a similar action has been taken on the part of your Honorable Body, the President will order the bill enrolled.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

1997 GENERAL ASSEMBLY

Senate Chamber
August 28, 1997

Mr. Speaker:

It is ordered that a message be sent your Honorable Body respectfully advising that the Senate has concluded the business of the 1997 Session of the 1997 General Assembly and pursuant to **H.J.R. 306** (Committee Substitute), **A JOINT RESOLUTION SETTING THE TIME FOR ADJOURNMENT OF THE 1997 GENERAL ASSEMBLY TO MEET IN 1998 AND LIMITING THE SUBJECTS THAT MAY BE CONSIDERED IN THAT SESSION**, stands ready to adjourn to reconvene Monday, May 11, 1998, at 12:00 Noon subject to receipt of messages and ratifications.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

Representative Morgan moves, seconded by Representative Wright, that the House adjourn, pursuant to **H.J.R. 306**, subject to the receipt of

Messages from the Senate and ratification of bills, to reconvene at 12:00 Noon, May 11, 1998.

The motion carries.

BILLS PRESENTED TO THE GOVERNOR

The following bills are duly ratified and presented to the Governor:

S.B. 1, A BILL TO BE ENTITLED AN ACT TO CHANGE THE FILING SCHEDULE OF CAMPAIGN REPORTS; TO REQUIRE THE LISTING OF A CONTRIBUTOR'S PRINCIPAL OCCUPATION AND TO PROVIDE FOR A "BEST EFFORTS" RULE; TO REQUIRE THAT COORDINATED PARTY EXPENDITURES BE REPORTED; TO EXPAND REPORTING IN LOCAL ELECTIONS AND REFERENDA AND TO SET A THREE THOUSAND DOLLAR THRESHOLD FOR REPORTING GENERALLY; TO REQUIRE ELECTRONIC FILING OF CERTAIN CAMPAIGN REPORTS AND INTERNET ACCESS; TO PROVIDE FOR CIVIL PENALTIES FOR LATE FILING OF CAMPAIGN REPORTS; TO CLOSE THE SECOND PRIMARY LOOPHOLE FOR CONTRIBUTION LIMITS; TO REWRITE AND EXPAND THE LIMITS ON FUND-RAISING DURING LEGISLATIVE SESSIONS; TO CHANGE THE METHOD FOR DISTRIBUTING MONEY FROM THE POLITICAL PARTIES FINANCING FUND; TO REQUIRE THE DISCLOSURE OF SPENDING FOR MATERIAL THAT NAMES CANDIDATES; TO DISCLOSE THE FLOW OF MONEY THROUGH NORTH CAROLINA AND NATIONAL POLITICAL ORGANIZATIONS; TO PROHIBIT A DECLARED COUNCIL OF STATE CANDIDATE FROM USING STATE FUNDS FOR ADS AND ANNOUNCEMENTS CONTAINING THE CANDIDATE'S NAME, PICTURE, OR VOICE DURING THE CALENDAR YEAR PRECEDING AN ELECTION; AND TO REQUIRE 12-POINT DISCLAIMERS IN OPPOSITION PRINT ADS.

S.B. 32, AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE VARIOUS COMMISSIONS, TO CONTINUE A COUNCIL, TO DIRECT STATE AGENCIES AND LEGISLATIVE OVERSIGHT COMMITTEES AND COMMISSIONS TO STUDY SPECIFIED ISSUES, AND TO IMPOSE A MORATORIUM ON SERVICE CORPORATION CONVERSIONS.

S.B. 676, AN ACT TO AMEND THE SEXUAL OFFENDER REGISTRATION PROGRAM TO COMPLY WITH FEDERAL LAW.

S.B. 815, AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE PRESIDENT PRO TEMPORE OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND TO MAKE RELATED STATUTORY CHANGES CONCERNING THEIR APPOINTMENTS.

S.B. 1055, AN ACT ESTABLISHING THE PUBLIC HOSPITAL PERSONNEL ACT AND AMENDING THE LAW GOVERNING DISPOSAL OF FETAL REMAINS.

H.B. 115, AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AND SESSION LAWS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO MAKE OTHER TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AND SESSION LAWS.

H.B. 1140, AN ACT TO PROVIDE THAT COMMUNITY SERVICE BE IMPOSED FOR A CONVICTION OF LITTERING.

ENROLLED BILL

The following bill is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 552, AN ACT TO PROHIBIT DISCHARGE OF FIREARMS FROM THE RIGHT-OF-WAY IN HUNTING BIG GAME.

Without objection, the House stands adjourned at 11:30 p.m.

Denise G. Weeks

Principal Clerk

Pursuant to Article II, Section 22 of the North Carolina Constitution, the following bills are properly enrolled, assigned a chapter number and presented to the office of the Secretary of State. The dates included in this section represent the date the Acts were signed by the Governor.

August 29, 1997

H.B. 301, AN ACT TO AMEND THE GENERAL STATUTES PERTAINING TO CHILD SUPPORT ENFORCEMENT IN ORDER TO ENHANCE CHILD SUPPORT ENFORCEMENT AND PATERNITY ESTABLISHMENT IN CONFORMANCE WITH FEDERAL WELFARE REFORM REQUIREMENTS. (S.L. 1997-433)

S.B. 143, AN ACT TO AMEND THE LAWS PROHIBITING THE SALE OR PURCHASE OF TOBACCO PRODUCTS TO PERSONS LESS THAN EIGHTEEN YEARS OF AGE AND TO REQUIRE THAT CERTAIN PERSONS BE TRAINED REGARDING THESE LAWS. (S.L. 1997-434)

S.B. 897, AN ACT TO MAKE TECHNICAL AMENDMENTS TO THE ELECTRONIC SURVEILLANCE LAW. (S.L. 1997-435)

H.B. 847, AN ACT TO AUTHORIZE CERTAIN WATER AND SEWER AUTHORITIES TO ENTER INTO CERTAIN AGREEMENTS AND TO AUTHORIZE A WATER AND SEWER AUTHORITY HOLDING A CERTIFICATE UNDER G.S. 162A-7 TO EXERCISE THE POWER OF EMINENT DOMAIN FOR SPECIFIED PURPOSES. (S.L. 1997-436)

H.B. 990, AN ACT TO EXEMPT CERTAIN NONPROFIT AND CONSUMER-OWNED WATER OR SEWER UTILITIES AND CERTAIN SMALL WATER OR SEWER UTILITIES FROM REGULATION BY THE UTILITIES COMMISSION. (S.L. 1997-437)

H.B. 1115, AN ACT TO PROHIBIT THE CANCELLATION OF INSURANCE POLICIES THAT PROVIDE COVERAGE FOR CHURCHES FOR LOSSES RESULTING FROM A FIRE. (S.L. 1997-438)

H.B. 1157, AN ACT TO CLARIFY THE CORPORATE INCOME TAX ON CERTAIN TAX-EXEMPT OBLIGATIONS, TO DELETE THE CAP ON CORPORATE INCOME TAX DEDUCTIONS OF DIVIDENDS RECEIVED FROM REGULATED INVESTMENT COMPANIES, AND TO ALLOW THE DEPARTMENT OF REVENUE TO DEDUCT ITS COST OF ADMINISTERING THE DISTRIBUTION OF GROSS RECEIPTS TO CITIES. (S.L. 1997-439)

S.B. 273, AN ACT PERTAINING TO THE COVERAGE OF POSTMASTECTOMY INPATIENT CARE UNDER HEALTH INSURANCE PLANS. (S.L. 1997-440)

S.B. 561, AN ACT TO REMEDY THE INADVERTENT EXCLUSION OF DULY SWORN AND COMMISSIONED COMPANY POLICE OFFICERS FROM THE CONCEALED HANDGUN STATUTES, TO EXEMPT ACTIVE OR RETIRED COMPANY POLICE OFFICERS FROM THE TRAINING REQUIRED TO QUALIFY FOR A CONCEALED HANDGUN PERMIT IF THE OFFICER APPLIES FOR THE PERMIT WITHIN TWO YEARS OF RETIREMENT, AND TO CLARIFY THE MENTAL HEALTH REQUIREMENTS FOR A CONCEALED HANDGUN PERMIT. (S.L. 1997-441)

S.B. 757, AN ACT TO ESTABLISH ADVANCE INSTRUCTION FOR MENTAL HEALTH TREATMENT. (S.L. 1997-442)

S.B. 352, AN ACT TO MAKE APPROPRIATIONS FOR CURRENT OPERATIONS AND FOR CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES. (S.L. 1997-443)

S.B. 624, AN ACT TO INCORPORATE THE TOWN OF SEDALIA. (S.L. 1997-444)

S.B. 683, AN ACT TO AUTHORIZE THE DURHAM CITY COUNCIL TO DELEGATE TO THE CITY MANAGER THE AUTHORITY TO APPROVE THE PAYMENT OF FACILITIES FEES IN INSTALLMENTS, TO AUTHORIZE THE CITY OF BURLINGTON TO DISPOSE OF CERTAIN PROPERTY BY PRIVATE SALE, AND CONCERNING ZONING IN ALAMANCE COUNTY. (S.L. 1997-445)

S.B. 711, AN ACT TO INCORPORATE THE TOWN OF GRANTSBORO. (S.L. 1997-446)

S.B. 719, AN ACT TO MODIFY THE PURPOSES FOR WHICH THE GOLDSBORO ROOM OCCUPANCY TAX MAY BE USED AND TO MAKE TECHNICAL AND CONFORMING CHANGES. (S.L. 1997-447)

H.B. 39, AN ACT TO PROVIDE FOR THE INCORPORATION OF THE TOWN OF SWEPSONVILLE AND THE SIMULTANEOUS DISSOLUTION OF THE SWEPSONVILLE SANITARY DISTRICT, SUBJECT TO REFERENDUM. (S.L. 1997-448)

H.B. 496, AN ACT TO GRANT AUTHORITY TO THE MUNICIPALITIES LOCATED IN LEE COUNTY TO ADDRESS ABANDONED STRUCTURES IN THE SAME MANNER AS MUNICIPALITIES IN COUNTIES WITH A POPULATION OF OVER ONE HUNDRED SIXTY-THREE THOUSAND. (S.L. 1997-449)

H.B. 566, AN ACT EXEMPTING THE WAKE COUNTY PUBLIC SCHOOL SYSTEM AND QUALIFIED NONPUBLIC SCHOOLS OF WAKE COUNTY FROM DEVELOPMENT CHARGES RELATED TO THE CONSTRUCTION, RENOVATION, AND REPAIR OF SCHOOL INFRASTRUCTURE FACILITIES IN WAKE COUNTY AND THE MUNICIPALITIES THEREIN, AND TO CHANGE SEVERAL OTHER LAWS AFFECTING WAKE COUNTY. (S.L. 1997-450)

H.B. 600, AN ACT CLARIFYING THAT IN MODIFYING THE REQUIREMENTS FOR MAKING STREET ASSESSMENTS IN FOXFIRE VILLAGE UNDER CERTAIN CIRCUMSTANCES, UNDERGROUNDING OF UTILITIES, WHICH WAS PART OF THE PROJECT, IS ALSO SUBJECT TO ASSESSMENT. (S.L. 1997-451)

H.B. 786, AN ACT TO AMEND THE CHARTER OF THE CITY OF CONCORD TO ALLOW THE CITY MANAGER TO APPOINT THE FINANCE DIRECTOR AND THE CITY CLERK; TO PROVIDE FOR INITIATIVE AND REFERENDUM AUTHORITY FOR THE CONCORD CITY COUNCIL AND THE CABARRUS COUNTY BOARD OF COMMISSIONERS; AND AN ACT TO AMEND THE CHARTER OF THE CITY OF DURHAM AS IT RELATES TO VOLUNTARY ANNEXATIONS, PROTEST PETITIONS, THE APPROVAL OF PAYMENT OF FACILITIES FEES, AND THE RENAMING OF THE SUBDIVISION REVIEW BOARD, AND TO AMEND THE CHARTER OF THE CITY OF SANFORD RELATING TO THE PUBLICATION OF FRANCHISE ORDINANCES. (S.L. 1997-452)

S.B. 552, AN ACT TO PROHIBIT DISCHARGE OF FIREARMS FROM THE RIGHT-OF-WAY IN HUNTING BIG GAME. (S.L. 1997-453)

S.B. 550, AN ACT TO AMEND CHAPTER 89C OF THE GENERAL STATUTES TO PROVIDE THAT THE DESIGN OF LAND APPLICATION IRRIGATION SYSTEMS FOR ANIMAL WASTE MANAGEMENT SYSTEMS MAY BE PERFORMED BY IRRIGATION DESIGN TECHNICAL SPECIALISTS AND CONCERNING AGRICULTURAL BEST MANAGEMENT PRACTICES. (S.L. 1997-454)

S.B. 343, AN ACT RELATING TO THE DUTIES OF HOUSING AUTHORITY COMMISSIONERS UNDER THE PROVISIONS OF ARTICLE 1 OF CHAPTER 157 OF THE GENERAL STATUTES AND TO EXEMPT THE COUNTY OF DARE AND THE TOWN OF MANTEO FROM CERTAIN REQUIREMENTS FOR PUBLIC CONTRACTS. (S.L. 1997-455)

H.B. 115, AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AND SESSION LAWS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO MAKE OTHER TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AND SESSION LAWS. (S.L. 1997-456)

S.B. 842, AN ACT TO EXEMPT PERSONS PERFORMING CERTAIN ALTERATIONS, REMODELING, AND RENOVATIONS OF EXISTING BUILDINGS OR STRUCTURES FROM THE ARCHITECTURAL LICENSURE REQUIREMENTS. (S.L. 1997-457)

August 27, 1997

H.B. 515, AN ACT TO ENACT THE CLEAN WATER RESPONSIBILITY AND ENVIRONMENTALLY SOUND POLICY ACT, A COMPREHENSIVE AND BALANCED PROGRAM TO PROTECT WATER QUALITY, PUBLIC HEALTH, AND THE ENVIRONMENT. (S.L. 1997-458)

August 29, 1997

H.B. 949, AN ACT TO IMPROVE CHILD PROTECTION BY ALLOWING DISCLOSURE OF CERTAIN RECORDS. (S.L. 1997-459)

S.B. 713, AN ACT TO REPEAL THE AUTHORIZATION OF SUPPLEMENTAL RETIREMENT BENEFITS FOR FIREMEN IN THE CITY OF RALEIGH. (S.L. 1997-460)

September 1, 1997

S.B. 426, AN ACT TO AUTHORIZE SPECIAL REGISTRATION LICENSE PLATES ON CERTAIN COMMERCIAL MOTOR VEHICLES, TO PROVIDE SPECIAL REGISTRATION LICENSE PLATES FOR MAGISTRATES, TO ADVANCE THE DATE FOR ISSUANCE OF SPECIAL REGISTRATION LICENSE PLATES FOR SHERIFFS, AND TO PLACE A MORATORIUM ON THE CREATION OF ANY MORE SPECIAL LICENSE PLATES UNTIL THE LEGISLATIVE RESEARCH COMMISSION HAS COMPLETED ITS STUDY OF SPECIAL LICENSE PLATES. (S.L. 1997-461)

S.B. 438, AN ACT TO AMEND THE ENFORCEMENT PROCEDURES RELATED TO THE REGISTRATION OF SECURITIES AND TO INVESTMENT ADVISERS AND TO ESTABLISH THE CONFIDENTIALITY OF RECORDS RELATING TO CRIMINAL INVESTIGATIONS AND ENFORCEMENT PROCEEDINGS. (S.L. 1997-462)

S.B. 730, AN ACT TO AMEND THE LAW RELATING TO THE ISSUANCE OF BONDS BY INDUSTRIAL FACILITIES AND POLLUTION CONTROL FINANCING AUTHORITIES. (S.L. 1997-463)

H.B. 231, AN ACT TO PROVIDE LIMITED IMMUNITY FOR PHYSICIANS AND PSYCHOLOGISTS PROVIDING MEDICAL INFORMATION ON DRIVERS TO THE COMMISSIONER OF MOTOR VEHICLES IMPLEMENTING THE RECOMMENDATIONS OF THE DRIVERS MEDICAL EVALUATION PROGRAM STUDY COMMISSION AND FOR PHYSICIANS PROVIDING MEDICAL INFORMATION AND TESTIMONY REGARDING PILOTS TO PILOTS' LICENSING AND CERTIFICATION AGENCIES. (S.L. 1997-464)

H.B. 1012, AN ACT TO PROTECT SPORT SHOOTING RANGES AND THEIR OWNERS, OPERATORS, AND USERS FROM PUNITIVE RESTRICTIONS. (S.L. 1997-465)

H.B. 1096, AN ACT TO ADJUST CERTAIN STATUTES AFFECTING THE TRUCKING INDUSTRY TO ENCOURAGE THE GROWTH OF THAT INDUSTRY THROUGH INCREASED TRUCK REGISTRATIONS IN THIS STATE; TO PROVIDE CONSUMER PROTECTION PROVISIONS; AND TO PROVIDE FOR A STUDY OF CERTAIN TRUCKING-RELATED PROVISIONS BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE. (S.L. 1997-466)

H.B. 1108, AN ACT TO ALLOW THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE PERMITS FOR "BREW ON PREMISES" BUSINESSES. (S.L. 1997-467)

S.B. 299, AN ACT TO PROVIDE LONG-TERM CARE BENEFITS FOR QUALIFIED EMPLOYEES, RETIRED EMPLOYEES, AND THEIR DEPENDENTS UNDER THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN. (S.L. 1997-468)

S.B. 372, AN ACT TO AMEND, FOR SERVICE IN A CIVIL ACTION UPON A DEFENDANT LOCATED OUTSIDE THE UNITED STATES, THE TIME LIMITS REGARDING THE SECURING OF AN

ENDORSEMENT UPON THE ORIGINAL SUMMONS OR THE SUING OUT OF AN ALIAS OR PLURIES SUMMONS WHEN THE DEFENDANT IS NOT SERVED WITHIN THE TIME ALLOWED FOR SERVICE AND TO VALIDATE NOTARIAL ACTS PERFORMED BY CERTAIN NOTARIES BEFORE JUNE 1, 1997. (S.L. 1997-469)

S.B. 441, AN ACT TO INCREASE THE AMOUNT ALLOCATED TO SHERIFFS FROM THE FEES CHARGED FOR CONCEALED HANDGUN APPLICATIONS AND RENEWALS. (S.L. 1997-470)

S.B. 627, AN ACT TO CLARIFY AND EXPAND THE CLASSIFICATION OF PERSONS WHO MAY OBTAIN A DOMESTIC VIOLENCE PROTECTIVE ORDER; TO CLARIFY THE CIRCUMSTANCES UNDER WHICH MAGISTRATES MAY ISSUE PROTECTIVE ORDERS; AND TO IMPOSE A CRIMINAL PENALTY FOR VIOLATION OF A PROTECTIVE ORDER. (S.L. 1997-471)

September 2, 1997

H.B. 899, AN ACT TO MODIFY THE REQUIREMENTS FOR DISCLOSURES UPON THE SALE OF RESIDENTIAL PROPERTIES. (S.L. 1997-472)

H.B. 1064, AN ACT TO ALLOW A HOUSING AUTHORITY TO TERMINATE OR FAIL TO RENEW A LEASE IF A TENANT ENGAGES IN CRIMINAL ACTIVITY, TO ALLOW CERTAIN SUMMARY EJECTMENT ACTIONS INITIATED BY A HOUSING AUTHORITY TO BE HELD IN DISTRICT COURT INSTEAD OF IN MAGISTRATE'S COURT, AND TO CLARIFY THAT A BOND IS NOT REQUIRED BEFORE FILING AN ANSWER IN A SUMMARY EJECTMENT PROCEEDING. (S.L. 1997-473)

September 3, 1997

S.B. 455, AN ACT TO IMPROVE HMO SERVICES BY PROTECTING PHYSICIAN COMMUNICATIONS REGARDING TREATMENT, REQUIRING COVERAGE FOR EMERGENCY CARE, REDUCING THE APPROVAL PERIOD FOR RATE FILINGS, AND PROMOTING COLLABORATION BETWEEN HMOS AND PUBLIC HEALTH DEPARTMENTS. (S.L. 1997-474)

September 4, 1997

S.B. 727, AN ACT TO REDUCE THE STATE SALES TAX ON FOOD BY AN ADDITIONAL ONE CENT EFFECTIVE JULY 1, 1998, TO ESTABLISH THE PERCENTAGE RATES FOR THE INSURANCE REGULATORY CHARGE AND THE PUBLIC UTILITY REGULATORY FEE, TO CLARIFY THE BASIS OF THE PREMIUM TAX LIABILITY ON WHICH THE INSURANCE REGULATORY CHARGE IS LEVIED, TO INCREASE COURT FEES IN CRIMINAL CASES, TO INCREASE THE FEES FOR FILING CERTAIN DOCUMENTS, AND TO PROVIDE THAT ANNUAL REPORTS OF MOST BUSINESS CORPORATIONS SHALL BE FILED WITH THE DEPARTMENT OF REVENUE RATHER THAN THE SECRETARY OF STATE. (S.L. 1997-475)

S.B. 864, AN ACT TO CONFORM THE NORTH CAROLINA TRADEMARK REGISTRATION ACT TO THE 1992 MODEL STATE TRADEMARK BILL BY MAKING VARIOUS AMENDMENTS TO THE ACT, INCLUDING REPEALING THE REQUIREMENT THAT APPLICANTS FOR A REGISTRATION INCLUDE PROOF OF USE OF THE TRADEMARK IN NORTH CAROLINA. (S.L. 1997-476)

H.B. 1137, AN ACT TO CREATE A SPECIAL LICENSE PLATE TO PROMOTE SOIL AND WATER CONSERVATION AND TO PROVIDE THAT A PORTION OF THE SALES REVENUE GOES TO FUND WATER QUALITY AND ENVIRONMENTAL EDUCATION. (S.L. 1997-477)

S.B. 264, AN ACT TO PROVIDE IMMUNITY TO EMPLOYERS WHO DISCLOSE INFORMATION ABOUT AN EMPLOYEE WHEN THE EMPLOYER IS PROVIDING A REFERENCE. (S.L. 1997-478)

H.B. 469, AN ACT TO CREATE A REINSTATEMENT FEE FOR PERMITS SUSPENDED FOR FAILURE TO PAY PERMIT FEES. (S.L. 1997-479)

S.B. 973, AN ACT TO REQUIRE HEALTH BENEFIT PLANS TO PROVIDE CERTAIN INFORMATION. (S.L. 1997-480)

S.B. 583, AN ACT TO REQUIRE PHYSICIANS TO COMPLETE NOT TO EXCEED ONE HUNDRED FIFTY HOURS OF CONTINUING EDUCATION, TO REQUIRE PHYSICIANS TO REGISTER ANNUALLY WITH THE NORTH CAROLINA MEDICAL BOARD, TO

AMEND THE LAW GOVERNING REPORTING OF SUSPENSIONS OF PHYSICIAN PRIVILEGES WITH RESPECT TO COMPLETION OF MEDICAL RECORDS, TO MAKE A TECHNICAL CHANGE IN THE PRACTICE OF MEDICINE ACT, AND TO IMPROVE NORTH CAROLINA'S PUBLIC HEALTH SERVICE CAPACITY BY AUTHORIZING APPROVAL OF NONPROFIT HEALTH CARE FACILITIES TO SERVE SOME OF THE DENTAL NEEDS OF LOW-INCOME POPULATIONS AND BY AUTHORIZING THE EMPLOYMENT OF DENTISTS, DENTAL STUDENTS, AND DENTAL INTERNS BY THOSE FACILITIES. (S.L. 1997-481)

S.B. 253, AN ACT TO REQUIRE THE REGISTRATION OF TELEPHONIC SELLERS IN NORTH CAROLINA, AND TO MAKE THE OFFERING OF TELEPHONE SALES RECOVERY SERVICES A CRIMINAL OFFENSE. (S.L. 1997-482)

September 10, 1997

S.B. 32, AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE VARIOUS COMMISSIONS, TO CONTINUE A COUNCIL, TO DIRECT STATE AGENCIES AND LEGISLATIVE OVERSIGHT COMMITTEES AND COMMISSIONS TO STUDY SPECIFIED ISSUES, AND TO IMPOSE A MORATORIUM ON SERVICE CORPORATION CONVERSIONS. (S.L. 1997-483)

H.B. 1156, AN ACT TO AUTHORIZE THE DEVELOPMENT OF SPECIAL REGISTRATION PLATES FOR SUPPORTERS OF THE MARCH OF DIMES, SCHOOL TECHNOLOGY, AND SCENIC RIVERS AND TO AUTHORIZE THE DEVELOPMENT OF A REGISTRATION PLATE FOR COMBAT VETERANS. (S.L. 1997-484)

S.B. 157, AN ACT TO EXPAND THE TIME CORPORATIONS AND LIMITED LIABILITY COMPANIES MAY APPLY FOR REINSTATEMENT FROM ADMINISTRATIVE DISSOLUTION, TO AMEND THE LAW GOVERNING DISSENTERS' RIGHTS PROCEDURES AND THE FILING OF DOCUMENTS BY LIMITED LIABILITY COMPANIES, TO ALLOW FACSIMILE SIGNATURES AND ADVISORY REVIEW OF DOCUMENTS BY THE SECRETARY OF STATE, AND TO CLARIFY CORRECTIONS PROCEDURES, LIMITED LIABILITY NAME AVAILABILITY, AND THE DEFINITION OF FOREIGN PROFESSIONAL CORPORATIONS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION AND OTHERS, AND TO

AUTHORIZE THE CREATION OF SINGLE MEMBER LIMITED LIABILITY COMPANIES, TO ALLOW A PARENT CORPORATION TO BE MERGED INTO ITS SUBSIDIARY CORPORATION IN CERTAIN CIRCUMSTANCES, TO REMOVE THE REQUIREMENT THAT A PUBLIC CORPORATION MUST WAIT THIRTY DAYS BEFORE IT CAN FILE ITS ARTICLES OF MERGER WITH THE SECRETARY OF STATE, TO INCREASE THE FEES FOR THE FILING OF CERTAIN DOCUMENTS. (S.L. 1997-485)

H.B. 183, AN ACT TO INCLUDE PRIOR IMPAIRED DRIVING CONVICTIONS IN FELONY PRIOR RECORD LEVEL CALCULATION, AND TO PROVIDE FOR AN INDEFINITE CIVIL SUSPENSION OF A DRIVERS LICENSE WHEN A DRIVER IS CHARGED WITH AN IMPAIRED DRIVING OFFENSE WHILE ANOTHER IMPAIRED DRIVING OFFENSE IS PENDING DISPOSITION. (S.L. 1997-486)

H.B. 1087, AN ACT TO MAKE TRESPASSING WITH A MOTORIZED ALL TERRAIN VEHICLE A MISDEMEANOR. (S.L. 1997-487)

S.B. 30, AN ACT TO ALLOW AN INCREASED PENALTY FOR SPEEDING IN A HIGHWAY WORK ZONE OF UP TO TWO HUNDRED FIFTY DOLLARS. (S.L. 1997-488)

S.B. 122, AN ACT TO ALLOW A CONTRACTOR ON A PUBLIC PROJECT, ON BEHALF OF A SUBCONTRACTOR, TO FILE AN ACTION AGAINST THE OWNER REGARDING A CLAIM ARISING OUT OF THE CONTRACT BETWEEN THE SUBCONTRACTOR AND THE CONTRACTOR FOR THE SAME PROJECT THAT IS THE SUBJECT OF THE CONTRACT BETWEEN THE CONTRACTOR AND THE OWNER AND TO MAKE NO DAMAGE FOR DELAY CLAUSES IN PUBLIC CONTRACTS UNENFORCEABLE. (S.L. 1997-489)

S.B. 39, AN ACT TO REVISE THE SETOFF DEBT COLLECTION ACT. (S.L. 1997-490)

S.B. 445, AN ACT TO ALLOW THE NORTH CAROLINA BOARD OF NURSING TO ENTER INTO INTERSTATE COMPACTS TO FACILITATE THE PRACTICE AND REGULATION OF NURSING. (S.L. 1997-491)

S.B. 712, AN ACT TO CERTIFY CLINICAL ADDICTIONS SPECIALISTS, PROVIDE SPECIFIC AUTHORITY FOR CERTIFICATION

OF CLINICAL SUPERVISORS AND RESIDENTIAL FACILITY DIRECTORS, AND TO MAKE A TECHNICAL CHANGE. (S.L. 1997-492)

September 11, 1997

S.B. 114, AN ACT TO ESTABLISH A FRAMEWORK FOR DEVELOPING AND IMPLEMENTING COOPERATIVE STATE-LOCAL WATER QUALITY PROTECTION PLANS FOR RIVER BASINS AND SEGMENTS OF RIVER BASINS AND TO EXPEDITE THE PERMANENT CLOSURE OF LOW-RISK SITES UNDER THE LEAKING PETROLEUM UNDERGROUND STORAGE TANK CLEANUP ACT OF 1988. (S.L. 1997-493)

S.B. 977, AN ACT TO ENACT INTO LAW THE SOUTHERN DAIRY COMPACT, TO DIRECT THE APPOINTMENT OF MEMBERS FROM NORTH CAROLINA TO THE SOUTHERN DAIRY COMPACT COMMISSION, AND TO APPROPRIATE FUNDS. (S.L. 1997-494)

S.B. 815, AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE PRESIDENT PRO TEMPORE OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND TO MAKE RELATED STATUTORY CHANGES CONCERNING THEIR APPOINTMENTS. (S.L. 1997-495)

H.B. 211, AN ACT TO AMEND VARIOUS ENVIRONMENTAL LAWS TO: (1) PROVIDE FOR CONTINUING EDUCATION REQUIREMENTS FOR, AND THE EXPIRATION AND RENEWAL OF, CERTIFICATES ISSUED BY THE WATER POLLUTION CONTROL SYSTEM OPERATORS CERTIFICATION COMMISSION; (2) INCLUDE CONSIDERATION OF THE COMPLIANCE HISTORY IN OTHER STATES OF AN APPLICANT FOR A PERMIT UNDER THE COASTAL AREA MANAGEMENT ACT; (3) CLARIFY THE DISTINCTION BETWEEN A PUBLIC HEARING AND A PUBLIC MEETING IN CONNECTION WITH AN APPLICATION FOR A WATER QUALITY PERMIT; (4) ALLOW THE ENVIRONMENTAL MANAGEMENT COMMISSION TO DELEGATE ITS POWERS BY RESOLUTION RATHER THAN BY RULE; (5) CLARIFY THE ASSESSMENT OF CIVIL PENALTIES FOR CONTINUING VIOLATIONS OF AIR QUALITY STANDARDS; (6) REESTABLISH A SCHEDULE OF SIX-YEAR STAGGERED TERMS FOR THE MINING COMMISSION; (7) REESTABLISH A SCHEDULE OF TWO-YEAR STAGGERED TERMS FOR THE NORTH CAROLINA PARKS AND RECREATION AUTHORITY; AND (8) MAKE CLARIFYING, CONFORMING, AND

TECHNICAL CHANGES TO VARIOUS LAWS RELATING TO ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION. (S.L. 1997-496)

H.B. 431, AN ACT TO PERMIT THE GARNISHMENT OF WAGES TO RECOUP FRAUDULENT PUBLIC ASSISTANCE PROGRAM PAYMENTS AND TO CREATE OFFENSES FOR ILLEGAL POSSESSION OR USE OF FOOD STAMPS. (S.L. 1997-497)

H.B. 452, AN ACT TO AMEND THE BEACH PLAN PARTICIPATION FORMULA, PROVIDE FOR WINDSTORM AND HAIL INSURANCE IN COASTAL COUNTIES, AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE AVAILABILITY OF PROPERTY INSURANCE IN THE STATE, AND REVISE OTHER STATUTES RELATED TO THE INSURANCE UNDERWRITING ASSOCIATION. (S.L. 1997-498)

H.B. 537, AN ACT TO PROVIDE RELIEF FOR FEDERAL RETIREES AND THE SURVIVING SPOUSES OF FEDERAL RETIREES. (S.L. 1997-499)

H.B. 853, AN ACT TO AMEND THE PROFESSIONAL CORPORATION ACT TO ALLOW COLLABORATIVE PRACTICES BETWEEN PHYSICIANS AND AUDIOLOGISTS AND BETWEEN OPHTHALMOLOGISTS AND OPTOMETRISTS. (S.L. 1997-500)

H.B. 1132, AN ACT TO ADD CERTAIN DRUGS TO SCHEDULE IV OF THE LIST OF CONTROLLED SUBSTANCES, TO MAKE IT A CRIMINAL OFFENSE TO CONTAMINATE FOOD OR DRINK WITH ANY CONTROLLED SUBSTANCE THAT WOULD RENDER A PERSON MENTALLY INCAPACITATED OR PHYSICALLY HELPLESS, OR TO MANUFACTURE OR POSSESS SUCH A CONTROLLED SUBSTANCE UNLESS IT IS FOR MEDICAL PURPOSES. (S.L. 1997-501)

S.B. 636, AN ACT TO AUTHORIZE THE ESTABLISHMENT OF LOCAL PUBLIC HEALTH AUTHORITIES, AS RECOMMENDED BY THE NORTH CAROLINA PUBLIC HEALTH COMMISSION. (S.L. 1997-502)

S.B. 853, AN ACT AUTHORIZING THE SECRETARY OF THE DEPARTMENT OF REVENUE TO APPOINT EMPLOYEES OF THE DEPARTMENT AS REVENUE LAW ENFORCEMENT AGENTS TO

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H.B. 1142, AN ACT TO WAIVE TUITION FOR CHILDREN OR SPOUSES OF CERTAIN EMERGENCY WORKERS KILLED OR DISABLED IN THE LINE OF DUTY. (S.L. 1997-505)

S.B. 929, AN ACT TO ENHANCE AND IMPROVE CHILD CARE IN NORTH CAROLINA. (S.L. 1997-506)

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H.B. 769, AN ACT TO PROVIDE THAT CERTAIN STUDENTS WHO DROP OUT OF SCHOOL OR DO NOT MAKE PROGRESS TOWARD GRADUATION SHALL NOT BE ELIGIBLE FOR DRIVERS PERMITS OR LICENSES. (S.L. 1997-507)

S.B. 483, AN ACT TO INCREASE THE AMOUNT PAID TO PHYSICIANS TO READ X-RAY FILMS FOR THE DUSTY TRADES PROGRAM. (S.L. 1997-508)

S.B. 488, AN ACT TO AMEND THE PROCESS OF SELECTING THE CHAIR OF THE VOCATIONAL REHABILITATION ADVISORY COUNCIL TO CONFORM WITH FEDERAL LAW AND TO PROVIDE THAT THE CHAIR'S TERM SHALL NOT EXCEED THREE YEARS. (S.L. 1997-509)

S.B. 553, AN ACT TO PROVIDE THAT THE STATE SHALL PAY THE COST OF ANY REQUIRED LEGAL ADVERTISING IT REQUIRES COUNTIES TO PLACE IN CONNECTION WITH ANY REFERENDUM PLACED ON THE BALLOT BY THE GENERAL ASSEMBLY; TO ALLOW A COUNTY BOARD OF ELECTIONS TO CONDUCT ONE-STOP VOTING ON ITS ELECTION-DAY VOTING EQUIPMENT AT THE COUNTY BOARD OF ELECTIONS OFFICE USING CURRENT EXCUSE REQUIREMENTS UNDER A PLAN APPROVED BY THE STATE BOARD OF ELECTIONS; AND TO

ALLOW THE CATAWBA COUNTY BOARD OF ELECTIONS TO USE PAPER BALLOTS IN SECOND PRIMARY ELECTIONS WHERE VOTING SYSTEMS ARE USED IN THE FIRST PRIMARY ELECTION. (S.L. 1997-510)

S.B. 595, AN ACT TO AUTHORIZE THE NORTH CAROLINA MEDICAL BOARD TO LICENSE INSTEAD OF APPROVE PHYSICIAN ASSISTANTS, TO ISSUE A PHYSICIAN ASSISTANT LIMITED VOLUNTEER LICENSE, AND TO MAKE OTHER CHANGES IN THE STATUTES REGULATING PHYSICIAN ASSISTANTS. (S.L. 1997-511)

H.B. 435, AN ACT TO MAKE TECHNICAL CHANGES IN THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN. (S.L. 1997-512)

S.B. 725, AN ACT PERTAINING TO THE FILING OF A DEFERRED CHARGE WITH THE EEOC OR THE OFFICE OF ADMINISTRATIVE HEARINGS BY STATE OR LOCAL GOVERNMENT EMPLOYEES AND AMENDING CHAPTER 143 OF THE GENERAL STATUTES TO PROVIDE FOR AN INCENTIVE BONUS PROGRAM TO RECOGNIZE AND REWARD THE COST-SAVING AND REVENUE-INCREASING INITIATIVES AND INNOVATIONS OF STATE EMPLOYEES. (S.L. 1997-513)

S.B. 780, AN ACT REQUIRING THAT NONRESIDENT PHYSICIANS WHO TREAT PATIENTS IN THIS STATE THROUGH THE USE OF ELECTRONIC OR OTHER MEDIUMS SHALL BE LICENSED IN THIS STATE AND SHALL BE SUBJECT TO REASONABLE REGULATIONS BY THE NORTH CAROLINA MEDICAL BOARD. (S.L. 1997-514)

S.B. 1, AN ACT TO CHANGE THE FILING SCHEDULE OF CAMPAIGN REPORTS; TO REQUIRE THE LISTING OF A CONTRIBUTOR'S PRINCIPAL OCCUPATION AND TO PROVIDE FOR A "BEST EFFORTS" RULE; TO REQUIRE THAT COORDINATED PARTY EXPENDITURES BE REPORTED; TO EXPAND REPORTING IN LOCAL ELECTIONS AND REFERENDA AND TO SET A THREE THOUSAND DOLLAR THRESHOLD FOR REPORTING GENERALLY; TO REQUIRE ELECTRONIC FILING OF CERTAIN CAMPAIGN REPORTS AND INTERNET ACCESS; TO PROVIDE FOR CIVIL PENALTIES FOR LATE FILING OF CAMPAIGN REPORTS; TO CLOSE THE SECOND PRIMARY LOOPHOLE FOR CONTRIBUTION LIMITS; TO REWRITE AND EXPAND THE LIMITS ON FUND-

RAISING DURING LEGISLATIVE SESSIONS; TO CHANGE THE METHOD FOR DISTRIBUTING MONEY FROM THE POLITICAL PARTIES FINANCING FUND; TO REQUIRE THE DISCLOSURE OF SPENDING FOR MATERIAL THAT NAMES CANDIDATES; TO DISCLOSE THE FLOW OF MONEY THROUGH NORTH CAROLINA AND NATIONAL POLITICAL ORGANIZATIONS; TO PROHIBIT A DECLARED COUNCIL OF STATE CANDIDATE FROM USING STATE FUNDS FOR ADS AND ANNOUNCEMENTS CONTAINING THE CANDIDATE'S NAME, PICTURE, OR VOICE DURING THE CALENDAR YEAR PRECEDING AN ELECTION; AND TO REQUIRE 12-POINT DISCLAIMERS IN OPPOSITION PRINT ADS. (S.L. 1997-515)

S.B. 676, AN ACT TO AMEND THE SEXUAL OFFENDER REGISTRATION PROGRAM TO COMPLY WITH FEDERAL LAW. (S.L. 1997-516)

S.B. 1055, AN ACT ESTABLISHING THE PUBLIC HOSPITAL PERSONNEL ACT AND AMENDING THE LAW GOVERNING DISPOSAL OF FETAL REMAINS. (S.L. 1997-517)

H.B. 1140, AN ACT TO PROVIDE THAT COMMUNITY SERVICE BE IMPOSED FOR A CONVICTION OF LITTERING. (S.L. 1997-518)

S.B. 932, AN ACT TO AMEND THE LAWS GOVERNING HEALTH BENEFIT PLAN REPORTING AND DISCLOSURE REQUIREMENTS; TO MAKE IMPROVEMENTS IN THE OPERATIONS OF HEALTH MAINTENANCE ORGANIZATIONS IN NORTH CAROLINA; TO ESTABLISH STANDARDS FOR COVERAGE AND PROVIDER NETWORKS UNDER HEALTH INSURANCE POLICIES AND MANAGED CARE PLANS; TO REWRITE AND MODERNIZE THE LAWS ON INSURERS OFFERING PREFERRED PROVIDER BENEFIT PLANS, PREFERRED PROVIDER ORGANIZATIONS, AND PREFERRED PROVIDER BENEFIT PLANS WITH RESPECT TO COVERAGE DETERMINATIONS, MEDICAL NECESSITY, NONDISCRIMINATION AGAINST HIGH-RISK POPULATIONS, SERVICES OUTSIDE PROVIDER NETWORKS WHEN PARTICIPATING PROVIDERS ARE NOT REASONABLY AVAILABLE, AND CONTINUING CARE RETIREMENT COMMUNITY RESIDENTS; TO AMEND THE LAWS TO PROVIDE PARITY BETWEEN HEALTH MAINTENANCE ORGANIZATION POINT-OF-SERVICE PRODUCTS AND PREFERRED PROVIDER BENEFIT PLANS WITH RESPECT TO REIMBURSEMENT DIFFERENTIALS FOR COVERAGE OF HEALTH CARE PROVIDED BY NONPARTICIPATING PROVIDERS; AND TO ESTABLISH PROCEDURES

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S.B. 886, AN ACT AMENDING CHAPTER 126 OF THE GENERAL STATUTES TO PROVIDE FOR THE OPEN, FAIR, AND NONPOLITICAL SELECTION OF THE MOST QUALIFIED PERSONS FOR STATE GOVERNMENT EMPLOYMENT BY LIMITING POLITICAL HIRINGS; RELATING TO THE DESIGNATION OF EXEMPT POSITIONS BY THE GOVERNOR AND OTHER MEMBERS OF THE COUNCIL OF STATE; LIMITING THE POLITICAL INVOLVEMENT OF MEMBERS OF THE GENERAL ASSEMBLY IN STATE GOVERNMENT PERSONNEL DECISIONS; EXTENDING BROADER PROTECTIONS TO STATE EMPLOYEES WHO REPORT GROSS MISMANAGEMENT AND IMPROPER GOVERNMENT ACTIVITIES; AND REQUIRING THE REPORTING OF MONETARY SETTLEMENTS OF STATE GOVERNMENT PERSONNEL MATTERS AND CERTAIN PERSONNEL PRACTICES TO THE STATE PERSONNEL COMMISSION AND TO THE JOINT LEGISLATIVE COMMISSION ON GOVERNMENTAL OPERATIONS. (S.L. 1997-520)

H.B. 1057, AN ACT TO EXEMPT FROM SALES TAX AUDIOVISUAL MASTER TAPES USED IN THE MOTION PICTURE, TELEVISION, AND AUDIO PRODUCTION INDUSTRIES. (S.L. 1997-521)

S.B. 851, AN ACT REGARDING ADULT CARE HOME LICENSES. (S.L. 1997-522)

S.B. 516, AN ACT TO ESTABLISH A STATE-ADMINISTERED LEAD-BASED PAINT HAZARD MANAGEMENT PROGRAM IN LIEU OF HAVING A FEDERALLY ADMINISTERED PROGRAM APPLY IN THIS STATE. (S.L. 1997-523)

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S.B. 1065, AN ACT TO EXPAND THE INCOME TAX EXCLUSION FOR SEVERANCE PAY TO INCLUDE SEVERANCE PAY DUE TO AN

EMPLOYEE'S INVOLUNTARY TERMINATION THROUGH NO FAULT OF THE EMPLOYEE. (S.L. 1997-525)

H.B. 652, AN ACT TO AMEND THE STATUTES GOVERNING THE OFFICE OF THE STATE AUDITOR TO PROHIBIT OBSTRUCTION OF AN AUDIT. (S.L. 1997-526)

H.B. 87, AN ACT TO EXEMPT THE CENTENNIAL CAMPUS OF NORTH CAROLINA STATE UNIVERSITY AT RALEIGH FROM THE UMSTEAD ACT, WHICH PROHIBITS STATE GOVERNMENT FROM ENGAGING IN THE SALE OF GOODS IN COMPETITION WITH CITIZENS OF THE STATE. (S.L. 1997-527)

H.B. 227, AN ACT TO PROVIDE THAT RECORDATION OF AN INACTIVE HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITE IS NOT REQUIRED IN CERTAIN CASES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION. (S.L. 1997-528)

It will be noted that a number of bills and resolutions passed second reading and then were read a third time on the same day.

Rule 41(b) states:

No bill shall be read more than once in the same day without the concurrence of two-thirds (2/3) of the members present and voting.

In order to comply with this Rule, no bill which has passed its second reading is read a third time except:

- (1) When a member moves that the Rule be suspended, and this motion carries by at least a two-thirds vote of the members present.
- (2) When the Chair determines that there is no objection from any member present. This constitutes unanimous consent of those members present that Rule 41(b) be suspended.

In these cases, the bill is read a third time.

Denise G. Weeks
Principal Clerk

APPENDIX

FIRST SESSION 1997



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H. R. 1, A HOUSE RESOLUTION ADOPTING THE PERMANENT RULES OF THE REGULAR SESSIONS OF THE NORTH CAROLINA HOUSE OF REPRESENTATIVES OF THE 1997 GENERAL ASSEMBLY.

Be it resolved by the House of Representatives:

Section 1. The permanent rules of the Regular Sessions of the House of Representatives of the 1997 General Assembly are:

**RULES OF THE REGULAR SESSIONS OF THE
HOUSE OF REPRESENTATIVES OF THE 1997 GENERAL
ASSEMBLY OF NORTH CAROLINA**

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I. Order of Business

RULE 1. Convening Hour, Limitation on Friday, Night, and Sunday Legislative Sessions. -- The House shall convene each legislative day at the hour fixed by the House. In the event the House adjourns on the preceding legislative day without having fixed an hour for reconvening, the House shall convene on the next legislative day at 1:30 p.m. During January and February of 1997, no sessions may be held on Friday. No session shall continue after 10:00 p.m. on Monday nor after 9:00 p.m. on any other days, and the Speaker shall adjourn the House without motion at that point, except that a motion may be made as to the time and day of next convening. No session shall be held on Sunday.

RULE 2. Opening the Session. -- At the convening hour on each legislative day, the Speaker shall call the members to order and shall have the session opened with prayer. At the convening hour on the first day of each legislative week the Speaker, or his designee, shall lead the members in the Pledge of Allegiance to the American Flag.

RULE 3. Quorum. -- (a) A quorum consists of a majority of the qualified members of the House.

(b) Should the point of a quorum be raised, the doors shall be closed and the Clerk shall call the roll of the House, after which the names of those not responding shall again be called. In the absence of a quorum, 15 members are authorized to compel the attendance of absent members and may order that absentees for whom no sufficient excuses are made be taken into custody wherever they may be found by special messenger appointed for that purpose.

RULE 4. Approval of Journal. -- (a) The Standing Committee on Rules, Calendar, and Operations of the House shall cause the Journal of the House to be examined daily before the hour of convening to determine if the proceedings of the previous day have been correctly recorded.

(b) Immediately following the opening prayer and upon appearance of a quorum, the Speaker shall call for the Journal report by the Chair of the Standing Committee on Rules, Calendar, and Operations of the House or by a Representative designated by the Chair as to whether the proceedings of the previous day have been correctly recorded. Without objection, the Speaker shall cause the Journal to stand approved.

RULE 5. Order of Business of the Day. -- After the approval of the Journal of the preceding day, the House shall proceed to business in the following order:

- (1) The receiving of petitions, memorials, and papers addressed to the General Assembly or to the House;
- (1a) Messages from the Governor;
- (2) Ratification of bills;
- (3) Reports of standing committees and permanent subcommittees;
- (4) Reports of select committees;
- (5) Reports of referral by standing committee Chairs of bills to permanent subcommittees;
- (6) First reading and reference to committee of bills and resolutions;
- (7) Messages from the Senate;
- (8) Concurrence with Senate amendments or Senate committee substitutes;
- (9) The unfinished business of the preceding day;
- (10) Calendar (each category in accordance with Rule 40):
 - (a) Local bills (roll call) third reading
 - (b) Local bills (roll call) second reading
 - (c) Local bills third reading
 - (d) Local bills second reading
 - (d1) Public bills and resolutions consent calendar:
 1. (roll call) third reading
 2. (roll call) second reading
 3. third reading
 4. second reading
 - (e) Public bills (roll call) third reading
 - (f) Public bills (roll call) second reading
 - (g) Public bills and resolutions, third reading
 - (h) Public bills and resolutions, second reading;
- (11) Reading of Notices and Announcements; but messages and motions to elect officers shall always be in order.

II. Conduct of Debate

RULE 6. Duties and Powers of the Speaker. -- The Speaker shall have general direction of the Hall. The Speaker may name any member to perform the duties of the Chair, but substitution shall not extend beyond one day, except in the case of sickness or by leave of the House.

RULE 7. Obtaining Floor. -- (a) When any member desires recognition for any purpose, the member shall rise and respectfully address the Speaker. No member shall proceed until recognized by the Speaker for a purpose.

(b) When a member desires to interrupt a member having the floor, the member shall first obtain recognition by the Speaker and permission of the member occupying the floor, and when such recognition and permission have been obtained, he or she may propound a question to the member occupying the floor; but he or she shall not otherwise interrupt the member having the floor, except as provided in subsection (c) of this rule; and the Speaker shall, without the point of order being raised, enforce this rule.

(c) A member who has obtained the floor may be interrupted only for the following reasons:

1. A request that the member speaking yield for a question,
2. A point of order,
3. A parliamentary inquiry, or
4. A question of privilege.

RULE 8. Questions of Privilege. -- Upon recognition by the Speaker for that purpose, any member may speak to a question of privilege for a time not to exceed three minutes. Questions of privilege shall be those affecting, first, the rights of the House collectively, its safety, dignity, and the integrity of its proceedings; second, the rights, reputation, and conduct of members, individually, in their representative capacity only; and shall have precedence of all other questions, except motions to adjourn. Privilege may not be used to explain a vote or debate a bill. The Speaker shall determine if the question is one of privilege and shall, without the point of order being raised, enforce this rule.

RULE 9. Points of Order. -- (a) The Speaker shall decide questions of order and may speak to points of order in preference to other members arising from their seats for that purpose. Any member may appeal from the ruling of the Chair on questions of order; on such appeal no member may speak more than once, unless by leave of the House. A two-thirds (2/3) vote of the members present shall be necessary to sustain any appeal from the ruling of the Chair.

(b) When the Speaker calls a member to order, the member shall be seated except that a member called to order may clear a matter of fact, or explain, but shall not proceed in debate so long as the decision stands. If the member appeals from the ruling of the Chair and the decision by a two-thirds (2/3) vote of the members present be in favor of the member called to order, the member may proceed; if otherwise, the member shall not; and if

the case, in the judgment of the House, requires it, the member shall be liable to censure by the House.

RULE 10. Limitations on Debate. -- (a) No member shall speak on, debate, or solicit cosponsors for a bill or resolution at its first reading.

(b) No member shall speak more than twice on the main question, nor longer than 20 minutes for the first speech and 10 minutes for the second speech; nor shall the member speak more than twice upon an amendment or motion to reconsider, commit, appeal, or postpone, and then not longer than 10 minutes for the first speech and five minutes for the second speech.

(c) A member may speak only once and for not more than 20 minutes on the question of the adoption of a minority report.

(d) The House, by consent of a majority of the members present, may suspend the operation of subsections (b) and (c) of this rule during any debate on any particular question before the House.

RULE 11. Reading of Papers. -- When there is a call for the reading of the text of a paper which has been presented to the House, and there is objection to such reading, the question shall be determined by a majority vote of the members of the House present. Except for protests permitted by the Constitution, no member may have material printed in the Journal until said material has been presented to the House and the printing approved by the House, and said material shall not exceed 1,000 words.

RULE 12. General Decorum. -- (a) The Speaker shall preserve order and decorum.

(b) Decency of speech shall be observed and disrespect to personalities carefully avoided.

(c) When the Speaker is putting any question, or addressing the House, no person shall speak, stand up, walk out of, or cross the House, nor when a member is speaking, engage in disruptive discourse or pass between the member and the Chair.

(d) Food or beverages shall not be permitted on the floor of the House during the first two hours of the daily session.

(e) The reading of newspapers shall not be permitted on the floor of the House while the House is in session.

(f) Smoking or the consumption of food or beverages shall not be permitted in the galleries at any time.

(g) Special recitals, performances by musicians or other groups shall not be permitted on the floor of the House; and special guests of members of the House shall not be permitted on the floor of the House.

(h) Members shall observe appropriate attire, coat and tie for male members and dignified dress for female members.

(i) The use of cellular telephones shall not be permitted in the House Chamber.

III. Motions

RULE 13. Motions Generally. -- (a) Every motion shall be reduced to writing, if the Speaker or any two members request it. No motion relating to a bill shall be in order which does not identify the bill by its number and short title.

(b) When a motion is made, it shall be stated by the Speaker, or, if written, it shall be handed to the Chair and read aloud by the Speaker or Clerk before debate.

(c) After a motion has been stated by the Speaker or read by the Speaker or Clerk, it shall be in the possession of the House; but it may be withdrawn before a decision or amendment, except in case of a motion to reconsider, which motion, when made by a member, shall be in possession of the House and shall not be withdrawn without leave of the House.

RULE 14. Motions, Order of Precedence. -- When there are motions before the House, the order of precedence is as follows:

To adjourn

To lay on the table

Previous question

To postpone indefinitely

To reconsider

To postpone to a day certain

To re-refer

To amend an amendment

To amend

To substitute

To pass the bill

No motion to lay on the table, to postpone indefinitely, to postpone to a day certain, to commit or to make a particular amendment, being decided, shall be again allowed at the same stage of the bill or proposition.

RULE 15. Motion to Adjourn. -- (a) A motion to adjourn shall be seconded before the motion is put to the vote of the House.

(b) A motion to adjourn shall be decided without debate, and shall always be in order, except when the House is voting or some member is speaking; but a motion to adjourn shall not follow a motion to adjourn until debate or some other business of the House has intervened.

RULE 16. Motion to Table. -- (a) A motion to table shall be seconded before the motion is put to the vote of the House and is in order except when a motion to adjourn is before the House.

(b) A motion to table shall be decided without debate.

(c) A motion to table a bill shall constitute a motion to table the bill and all amendments thereto.

(d) When the question before the House is the adoption of an amendment to a bill or resolution, a motion to table the bill is not in order; and a motion

to table an amendment applies to the amendment only, and the motion may not expressly or by implication or construction be expanded to include a motion to table the bill also.

(e) When a question has been tabled, it shall not thereafter be considered except on motion to reconsider under Rule 18, or to remove from the table approved by a two-thirds (2/3) vote.

RULE 17. Motion to Postpone Indefinitely. -- A motion to postpone indefinitely is in order except when a motion to adjourn or to lay on the table or for the previous question is before the House. However, after one motion to postpone indefinitely has been decided, another motion to postpone indefinitely shall not be allowed at the same stage of the bill or proposition. When a question has been postponed indefinitely, it shall not thereafter be considered except on motion to reconsider under Rule 18, or to place on the favorable calendar approved by a two-thirds (2/3) vote.

RULE 18. Motion to Reconsider. -- (a) When a question has been decided, it is in order for any member to move for the reconsideration thereof, on the same or the succeeding legislative day; provided that if the vote by which the motion was originally decided was taken by a recorded vote, only a member of the prevailing side may move for reconsideration.

(b) A motion to reconsider shall be determined by a majority vote, except the following shall require a two-thirds (2/3) vote: a second or subsequent motion to reconsider, and a motion to reconsider:

- (1) A vote upon a motion to table,
- (2) A motion to postpone indefinitely,
- (3) A motion to remove a bill from the unfavorable calendar,
- (4) A motion that a bill be read twice on the same day, or
- (5) A motion to remove from the table.

(c) A motion to reconsider the vote by which a person has been elected as Speaker or Speaker Pro Tempore shall not be in order. This subsection of this rule cannot be suspended.

RULE 19. Previous Question. -- (a) The previous question may be called only by:

- (1) The chair of the Committee on Rules, Calendar, and Operation of the House;
- (2) The majority leader;
- (3) The member submitting the report on the bill or other matter under consideration, by the member introducing the bill or other matter under consideration; or
- (4) The member in charge of the measure, who shall be designated by the Chair of the standing committee or permanent subcommittee reporting the same to the House at the time the bill or other matter under consideration is reported to the House or taken up for consideration.

(b) The previous question shall be as follows: "Shall the main question now be put?" When the call for the previous question has been decided in the affirmative by a majority vote of the House, the "main question" is on the passage of the bill, resolution, or other matter under consideration.

(c) The call for the previous question shall preclude all motions, amendments, and debate, except the motion to adjourn or motion to table.

(d) If the previous question is decided in the negative, the main question remains under debate.

IV. Voting

RULE 20. Use of Electronic Voting System. -- (a) Votes on the following questions shall be taken on the electronic voting system, and the ayes and noes shall be recorded on the Journal:

(1) The passage as required by Article II, Section 23 of the Constitution of North Carolina, on second and third readings of any bill:

- a. Raising money on the credit of the State,
- b. Pledging the faith of the State for the payment of a debt,
- c. Imposing a State tax, or
- d. Authorizing a county, municipality, or other local governmental unit to
 1. Raise money on its credit,
 2. Pledge its faith for the payment of a debt, or
 3. Impose a local tax.

(2) All measures affecting a fee imposed by the State or any subdivision thereof.

(3) All questions on which a call for the ayes and noes under Rule 24(a) and Article II, Section 19 of the Constitution of North Carolina has been sustained.

(4) Both second and third readings of bills proposing amendment of the Constitution of North Carolina or ratifying resolutions amending the Constitution of the United States.

(5) The passage of a bill notwithstanding the Governor's veto thereof pursuant to Article II, Section 22 of the Constitution of North Carolina.

(b) Votes on the following questions shall be taken on the electronic voting system:

(1) Second reading of all public bills, all amendments to public bills offered after second reading, third reading if a public bill was amended after second reading or if the reading occurs on a day or days following the second reading, all conference reports on public bills, all motions to lay public bills on the table, and all motions to postpone public bills indefinitely.

(2) Upon a call for division.

(3) Any other question upon direction of the Speaker or upon motion of any member supported by one-fifth (1/5) of the members present.

(c) When the electronic voting system is used, 15 seconds shall be allowed for voting on the question before the House, unless the Chair shall direct otherwise. The system shall be set to close automatically when that time has expired. Once the system is locked, the vote shall be recorded and printed.

(d) The voting station at each member's desk in the Chamber shall be used only by the member to which the station is assigned. Under no circumstances shall any other person vote at a member's station. It is a breach of the ethical obligation of a member either to request that another person vote at the requesting member's station, or to vote at another member's station. The Speaker shall enforce this rule without exception.

(e) When the electronic voting system is used, the Speaker shall state the question and shall then state substantially the following: "All in favor vote 'aye'; all opposed vote 'no'; the Clerk will open the vote." In order to have the vote recorded, the member must vote by the electronic voting system within the time allowed for that vote, unless the voting station assigned to a member is malfunctioning. The Speaker shall enforce this rule without exception. After the allotted time for voting has elapsed, the Speaker shall say: "The Clerk will now lock the machine and record the vote." After the machine is locked and the vote recorded, the Speaker shall announce the vote and declare the result.

(f) One copy of the machine printout of the vote record of all votes taken on the electronic system shall be filed in the office of the Principal Clerk, and one copy shall be filed in the Legislative Library where it shall be open to public inspection. A legible copy of the bill, amendment, or motion on which the vote was taken shall be filed with the printout of the vote in the Legislative Library.

(g) When the Speaker ascertains that the electronic voting system is inoperative before a vote is taken or while a vote is being taken on the electronic system, the Speaker shall announce that fact to the House and any partial electronic system voting record shall be voided. In such a case, if the Constitution of North Carolina or the Rules of the House require a call of the ayes and noes, the Clerk shall call the roll of the House, and the ayes and noes shall be taken manually and shall be recorded on the Journal. All roll call votes shall be taken alphabetically. All other votes shall be taken by voice vote. If, after a vote is taken on the electronic system, it is discovered that a malfunction caused an error in the electronic system printout, the Speaker shall direct the Reading Clerk and the Principal Clerk to verify and correct the printout record and so advise the House.

(h) For the purpose of identifying motions on which the vote is taken on the electronic system, the motions are coded as follows:

1. To adjourn
2. To lay on the table
3. Previous question
4. To postpone indefinitely
5. To reconsider
6. To postpone to a day certain
7. To re-refer
8. To amend an amendment
9. To amend
10. To substitute
11. To concur or not concur
12. Miscellaneous

RULE 21. Voice Votes; Stating Questions. -- (a) When the electronic voting system is not used, the Speaker shall rise and put a question.

(b) The question shall be put in this form, namely, "Those in favor (as the question may be) will say 'Aye'", and after the affirmative voice has been expressed, "Those opposed will say 'No'".

(c) No statement, explanation, debate, motion, parliamentary inquiry, or point of order shall be allowed once the voice vote has begun. Any point of order or parliamentary inquiry may be raised, however, after the completion of the vote.

RULE 22. Determining Questions. -- (a) Unless otherwise provided by the Constitution of North Carolina or by these rules, all questions shall be determined by a simple majority of the members present and voting.

(b) No member may vote unless the member is in the chamber when the question is put. This subsection of this rule cannot be suspended.

RULE 23. Voting by Division. -- Any member may call for a division of the members upon the question before the result of the vote has been announced. Upon a call for a division, the Speaker shall cause the number voting in the affirmative and in the negative to be determined. Upon a division and count of the House on any question, no member away from the member's seat shall be counted.

RULE 24. Roll Call Vote. -- (a) Before a question is put, any member may call for the ayes and noes. If the call is sustained by one-fifth (1/5) of the members present, the question shall be decided by the ayes and noes upon a roll call vote.

(b) Every member who is in the Hall of the House when the question is put shall vote upon a call of the ayes and noes, unless excused pursuant to Rule 24.1A.

RULE 24.1A. Excuse From Deliberations and Voting on a Bill. -- (a) Any member shall, upon request, be excused from the deliberations and

voting on a particular bill, but to do so must make that request after the second reading of the bill and before any motion or vote on the bill or any amendment thereto. If the reason for the request arises at some point later in the proceedings, the request may be made at that time.

(b) The member may make a brief oral statement of the reasons for making that request. The member may send forward to the Principal Clerk, on a form provided by the Clerk, a concise written statement of the reason for the request, and the Clerk shall include this statement in the Journal.

(c) The member so excused shall not debate the bill or any amendment to the bill, vote on the bill, offer or vote on any amendment to the bill, or offer or vote on any motion concerning the bill at that reading, any subsequent reading, or any subsequent consideration of the bill.

(d) A member may request that his or her excuse from deliberations on a particular bill be withdrawn.

RULE 24.1B. Division of Amendments. -- Any member may call for an amendment to be divided into two or more amendments to be voted on separately, and the Speaker shall determine whether the amendment admits of such a division.

RULE 25. Voting by Speaker. -- In all elections the Speaker may vote. In all other instances the Speaker may vote, or may reserve this right until there is a tie in which event the Speaker may vote; but in no instance may the Speaker vote twice on the same question.

V. Committees

RULE 26. Standing Committees and Permanent Subcommittees Generally. -- (a) The Speaker shall appoint a Chair, or Cochairs, of every standing committee and select committee, if any. In the construction of these rules, the word "Chair" as applied to a standing committee extends to and includes a Cochair of the standing committee. The Speaker shall have the exclusive right and authority to establish select committees, but this does not exclude the right of the House by resolution to establish select committees.

(b) All permanent subcommittees of each standing committee shall be appointed by the Speaker and the members appointed, along with the Chair of the standing committee, shall constitute the standing committee of which the permanent subcommittee is a part. The Speaker shall appoint all members of permanent subcommittees at the beginning of the first regular session in a manner to reflect the partisan membership of the House.

(c) The Speaker shall appoint the members of all standing committees having no permanent subcommittees, at the beginning of the first regular session in a manner to reflect the partisan membership of the House.

(d) The first member announced on each permanent subcommittee shall be the Chair. The Speaker may designate one or more Vice-Chairs.

(e) Each Chair of a permanent subcommittee shall be a Vice-Chair of the standing committee of which it is a permanent subcommittee. The Speaker may name other members as Vice-Chairs of the standing committee. The Speaker may name one or more Vice-Chairs for any standing committee not having permanent standing subcommittees.

(f) The Chair of the standing committee shall be a voting member of each permanent subcommittee of the standing committee.

(g) Either the Chair or Acting Chair, designated by the Chair or by the Speaker, and five other members of the standing committee or permanent subcommittee, or a majority of the standing committee or permanent subcommittee, whichever is fewer, shall constitute a quorum of that standing committee or permanent subcommittee. For purposes of determining a quorum, the Speaker Pro Tempore, Majority Leader, and Majority Whip, when serving only as ex officio members under subsection (i) of this rule, shall be counted among the membership of the committee or subcommittee only when present.

(h) In any joint meeting of the Senate and House committees or subcommittees, the House standing committee or permanent subcommittee reserves the right to vote separately.

(i) The Speaker Pro Tempore, Majority Leader, and Majority Whip are ex officio members of every standing committee and permanent subcommittee, with the right to vote.

RULE 27. List of Standing Committees and Permanent Subcommittees. -- The standing committees and permanent subcommittees thereof are:

Committee	Subcommittees
Agriculture	(None)
Appropriations	-Capital and Budget
	-Education
	-General Government
	-Human Resources
	-Justice and Public Safety
	-Natural and Economic Resources
	-Transportation
Commerce	-Business and Labor
	-Financial Institutions
	-Public Utilities
	-Travel and Tourism
Congressional Redistricting	(None)
Education	-Community Colleges
	-Pre-School, Elementary and Secondary Education
	-Universities

Election Law and Campaign Reform	(None)
Environment	(None)
Ethics	(None)
Finance	-Local, Regional, and State Revenues
Human Resources	-Aging
	-Families
Insurance	-Health
Judiciary I	(None)
Judiciary II	(None)
Local and Regional Government I	(None)
Local and Regional Government II	(None)
Pensions and Retirement	(None)
Public Employees	(None)
Rules, Calendar, and Operations of the House	(None)
State Government	-Military, Veterans, and Indian Affairs
	-State Parks, Facilities, and Property
Technology	(None)
Transportation	(None)
UNC Board of Governors	(None)
Ways and Means	(None)
Welfare Reform	(None).

RULE 28. Standing Committee and Permanent Subcommittee Meetings. -- (a) Standing committees and permanent subcommittees of standing committees shall be furnished with suitable meeting places pursuant to a schedule adopted by the Standing Committee on Rules, Calendar, and Operations of the House. Select committees shall be furnished with suitable meeting places as their needs require by the Chair of the Standing Committee on Rules, Calendar, and Operations of the House.

(b) Subject to the provisions of subsection (c) of this Rule, standing committees and permanent subcommittees thereof shall permit other members of the General Assembly, the press, and the general public to attend all sessions of said standing committees or permanent subcommittees.

(c) The Chair or other presiding officer shall have general direction of the meeting place of the standing committee or permanent subcommittee and, in case of any disturbance or disorderly conduct therein, or if the

peace, good order, and proper conduct of the legislative business is hindered by any person or persons, the Chair or presiding officer shall have power to exclude from the session any individual or individuals so hindering the legislative business.

(d) Procedure in the standing committees and permanent subcommittees shall be governed by the rules of the House, so far as the same may be applicable to such procedure. Before a question is put, any member may call for the ayes and noes. If the call is sustained by one-fifth (1/5) of the members present, the question shall be decided by the ayes and noes upon a roll call vote. All roll call votes shall be taken alphabetically and shall be subject to Rule 21(c).

(e) No standing committee or permanent subcommittee shall meet on any day when the House shall not convene except by permission of the Speaker or by approval of the House by resolution adopted by a majority vote of the House.

(f) No standing committee or permanent subcommittee shall meet during any session of the House. Standing committees and permanent subcommittees shall meet at their regularly scheduled hour. No permanent subcommittee shall meet at the same time that its standing committee is meeting. Standing committees and permanent subcommittees may meet at other times as authorized by the Chair of the Standing Committee on Rules, Calendar, and Operations of the House in order to assure the availability of the meeting room and that no conflicts will exist with the meetings of other bodies. All standing committee and permanent subcommittee meetings shall adjourn no later than:

- (1) 15 minutes preceding a regular session of the House, and
- (2) 10 minutes preceding the hour of the next regularly scheduled standing committee or permanent subcommittee meeting.

(g) Any call or notice of a standing committee or permanent subcommittee meeting between legislative sessions shall be mailed to each member of the standing committee or permanent subcommittee at least five days prior to such meeting. If a member of the body so requests in writing to the Chair of the standing committee or permanent subcommittee, the member shall be notified by certified mail of the meetings.

(h) During standing committee and permanent subcommittee meetings, the Chair may exercise the right to vote, or may reserve this right until there is a tie, in which event the Chair may vote, but in no instance may the Chair vote twice on the same question.

RULE 28.1. Ethics Committee Investigations Into Violations of the Open Meetings Law. -- (a) On its own motion, or in response to signed and sworn complaint of any individual filed with the Standing Committee on Ethics, the Committee shall inquire into any alleged violation by

members of the House of the Open Meetings Law (Article 33C of Chapter 143 of the General Statutes), as the same may be amended in the future.

(b) If, after such preliminary investigation as it may make, the Committee determines to proceed with an inquiry into the conduct of any individual, the Committee shall notify the individual as to the fact of the inquiry and the charges against him and shall schedule one or more hearings on the matter. The individual shall have the right to present evidence, cross-examine witnesses, and be represented by counsel at any hearings.

(c) After the Committee has concluded its inquiries into the alleged violations, the Committee shall dispose of the matter by taking one of the following actions:

- (1) Dismiss the complaint and take no further action.
- (2) Issue a letter of reprimand to the legislator, if the legislator unintentionally violated the provisions of the Open Meetings Law.
- (3) Issue a letter of reprimand if the violation of the Open Meetings Law was intentional, or if the legislator has previously received a letter of reprimand. The Chair of the Committee on Ethics shall have the public letter of reprimand spread on the pages of the House Journal.
- (4) Refer the matter to the House for appropriate action.

RULE 29. Notice of Standing Committee and Permanent Subcommittee Meetings and Hearings. -- Public notice of all standing committee and permanent subcommittee meetings shall be given in the House. The Chair of the standing committee or permanent subcommittee shall notify or cause to be notified the sponsor of each bill which is set for hearing or consideration before the standing committee or permanent subcommittee as to the date, time, and place of that meeting.

RULE 29.1. Public Hearings. -- (a) Requests for a public hearing shall be made in writing to the Chair of the standing committee and, if applicable, the Chair of the permanent subcommittee to which the bill has been referred. The Chair of the standing committee may schedule a public hearing by the standing committee as a whole after the adjournment of a regular daily House session. The Chair of the permanent subcommittee may schedule a public hearing before the permanent subcommittee at its regularly scheduled hour. Denial of a request made by a House member may be appealed to the Speaker.

Notice shall be given not less than five calendar days prior to public hearings. These notices shall be issued as information for the press, and information shall be posted in the places designated by the Principal Clerk.

(b) Persons desiring to appear and be heard at a public hearing shall submit their request to the Chair of the standing committee or permanent subcommittee. The standing committee or permanent subcommittee Chair

may designate one or more members to arrange the order of appearance of interested parties. A brief written statement of testimony may be submitted without oral presentation and shall be incorporated in the minutes of the public hearing.

RULE 29.2. Minutes to Legislative Library. -- The Chair of a standing committee or a permanent subcommittee shall insure that written minutes are compiled for each of the body's meetings. The minutes shall indicate the members present and the actions taken at the meeting. Not later than 20 days after the adjournment of each session of the General Assembly, the Chair shall deliver the minutes to the Legislative Library. The Speaker of the House may grant a reasonable extension of time for filing said minutes upon written application of the Chair.

RULE 30. Standing Committee of the Whole House. -- (a) A Standing Committee of the Whole House shall not be formed, except by suspension of the rules, if there be objection by any member.

(b) After passage of a motion to form a Standing Committee of the Whole House, the Speaker shall appoint a Chair to preside in the standing committee, and the Speaker shall leave the dais.

(c) The rules of procedure in the House shall be observed in the Standing Committee of the Whole House, so far as they may be applicable, except the rule limiting the time of speaking and the previous question.

(d) In the Standing Committee of the Whole House, a motion that the standing committee rise shall always be in order, except when a member is speaking, and shall be decided without debate.

(e) When a bill is submitted to the Standing Committee of the Whole House, it shall be read and debated by sections, leaving the preamble to be last considered. The body of the bill shall not be defaced or interlined, but all amendments, noting the page and line, shall be duly entered by the clerk on a separate paper as the same shall be agreed to by the standing committee, and be so reported to the House. After report, the bill shall again be subject to be debated and amended by sections before a question on its passage be taken.

VI. Handling of Bills

RULE 31. Introduction of Bills and Resolutions. -- (a) All bills and resolutions shall be introduced by submitting same to the Principal Clerk's office on the legislative day prior to the first reading and reference thereof according to the following schedule: by 8:30 p.m. each Monday, by 3:00 p.m. each Tuesday, Wednesday, Thursday, and Friday.

(b) Bills shall not become resolutions provided the Senate has a similar rule. Resolutions shall not become bills. Resolutions are not law but may be used when a law is not necessary for the purpose contained therein. Resolutions shall not be used to appropriate funds for any purpose, but may be used to create study commissions or committees or establish

investigative committees, to honor deceased persons, and to adopt House rules and internal affairs. Resolutions cannot amend, repeal, or modify a statute; nor do they have life beyond the term of the session during which they are adopted.

(c) Every bill or resolution shall be read in regular order of business, except upon permission of the Speaker or on the report of a standing committee.

(d) All bills and resolutions shall show in their captions a brief descriptive statement of the true substance of same, which captions may thereafter be amended. Captions of public bills may be amended only by amendment proposed by the standing committee to which the bill was referred. Third reading shall not be had on any bill or resolution on the same day that such caption is amended.

(e) A Substitute Bill shall be covered with the same color jacket as the original bill and shall be prefaced as follows:

"House Substitute for" or "House Committee Substitute for _____".

(f) House Resolutions need not be read more than twice.

(g) All memorializing, celebration, commendation, and commemoration resolutions, except those honoring the memory of deceased persons, shall be excluded from introduction and consideration in the House.

RULE 31.1. Deadlines on Introduction and Receipt of Limitation on Number of Public Bills Introduced; Single Subject Rule. -- (a) All bills or resolutions recommended by commissions or standing committees authorized or directed by act or resolution of the General Assembly to report to the 1997 Regular Session of the General Assembly, or to report prior to convening of that session, must be introduced not later than the first Thursday in February (February 6) of the first year of the biennial session; provided that any such measure submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 p.m. on that date and introduced in the House of Representatives before 3:00 p.m. on the next Thursday (February 13) shall be treated as if it had been introduced pursuant to this subsection.

(a1) All bills prepared to be introduced for departments, agencies, or institutions of the State must be introduced not later than the last Thursday in February (February 27) of the first year of the biennial session; provided that any such measure submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 p.m. on that date and introduced in the House of Representatives before 3:00 p.m. on the next Thursday (March 6) shall be treated as if it had been introduced pursuant to this subsection. A bill introduced under this subsection shall be identified as an Agency Bill after its short title.

(a2) All local bills must be introduced not later than the fourth Thursday in March (March 27) of the first year of the biennial session; provided that

any such measure submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 p.m. on that date and introduced in the House of Representatives before 3:00 p.m. on the next Thursday (April 3) shall be treated as if it had been introduced pursuant to this subsection.

(b) All public bills not containing appropriations or tax law changes must be introduced not later than the second Thursday in April (April 10) of the first year of the biennial session; provided that any such measure submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 p.m. on that date and introduced in the House of Representatives before 3:00 p.m. on the next Thursday (April 17) shall be treated as if it had been introduced pursuant to this subsection.

(c) All public bills containing appropriations and tax law changes, or containing appropriations but not tax law changes, must be introduced not later than the fourth Thursday in April (April 24) of the first year of the biennial session; provided that any such measure submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 p.m. on that date and introduced in the House of Representatives before 3:00 p.m. on the next Thursday (May 1) shall be treated as if it had been introduced pursuant to this subsection. All public bills containing tax law changes must be introduced not later than the second Thursday in May (May 8) of the first year of the biennial session; provided that any such measure submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 p.m. on that date and introduced in the House of Representatives before 3:00 p.m. on the next Thursday (May 15) shall be treated as if it had been introduced pursuant to this subsection. If any bill is eligible for introduction on account of the date only under this subsection, and the bill is amended so that qualifying appropriation or tax law change does not remain in the bill, it shall not be eligible for further consideration. For the purpose of this section, a "tax law change" includes any provision that would require a bill under Rule 38(b) to be referred to the Standing Committee on Finance.

(c1) All resolutions, except those honoring the memory of deceased persons or adjourning the General Assembly must be introduced not later than the last Thursday in April (April 24) of the first year of the biennial session; provided that any such measure submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 p.m. on that date and introduced in the House of Representatives before 3:00 p.m. on the next Thursday (May 1) shall be treated as if it had been introduced pursuant to this subsection.

(d) In order to be eligible for consideration by the House during the first Regular Session, all Senate bills other than finance or appropriations bills or adjournment resolutions, must be received and read on the floor of the House as a message from the Senate no later than May 1; provided that a

message from the Senate received by the next legislative day stating that a bill has passed its third reading and is being engrossed shall comply with the requirements of this subsection and provided that the Senate has a similar rule.

(d1) No member may introduce more than 10 public bills. For the purpose of the subsection, the introducer is the member who is listed as the first sponsor. A member may assign a portion of this limit to another member by notifying the Principal Clerk in writing on a form prepared by the Principal Clerk. This subsection does not apply to bills or resolutions recommended by commissions or standing committees authorized or directed by act or resolution of the General Assembly to report to the 1997 Regular Session of the General Assembly, or to report prior to convening of that session. This subsection does not apply to joint resolutions or House resolutions.

(d2) Except by motion approved by a majority of members of the House present and voting, no public House bill other than the Current Operations Appropriations Act or the Capital Improvement Appropriations Act may contain more than one subject.

(e) This rule, other than subsection (d2), does not apply to bills establishing districts for Congress or State or local entities. This rule, other than subsection (d2), does not apply to measures ratifying an amendment or amendments to the Constitution of the United States.

RULE 32. Reference to Standing Committee and to Permanent Subcommittees. -- (a) Each bill, joint resolution, or House resolution not introduced on the report of a standing committee shall immediately upon its first reading be referred by the Speaker to such standing committee or permanent subcommittee as the Speaker deems appropriate.

(b) The standing committee Chair may refer each bill referred to the standing committee to the permanent subcommittee specifically charged with the subject matter of the bill. A report of that referral shall be made in writing and submitted to the body pursuant to Rule 5(5). Except as provided in Rule 36, the permanent subcommittee to which the bill is referred shall report the bill back to the full standing committee. That subcommittee report shall include one of the following recommendations:

- (1) Favorable, without prejudice, or unfavorable as to the original bill with the recommendation that the report be made to the standing committee;
- (2) Favorable, without prejudice, or unfavorable as to the original bill, as amended, with the recommendation that the report be made to the standing committee;
- (3) Favorable or without prejudice to the proposed committee substitute, and unfavorable to the original bill, with the

recommendation that the report be made to the standing committee;

- (4) Favorable as to the original bill with the recommendation that the report be made directly to the floor of the House, if approved by the standing committee Chair;
- (5) Favorable to the original bill, as amended, with the recommendation that the report be made directly to the floor of the House, if approved by the standing committee Chair;
- (6) Favorable to the proposed committee substitute with the recommendation that the report be made directly to the floor of the House, if approved by the standing committee Chair, and unfavorable to the original bill.

Any recommendation of favorable or without prejudice may include a recommendation of re-referral to another standing committee. After a bill is reported to a standing committee by a permanent subcommittee of that standing committee, the standing committee Chair may re-refer the bill to another permanent subcommittee of that standing committee.

Upon recommendation to the standing committee, the bill shall be before that body for further action unless the permanent subcommittee Chair reports the bill directly pursuant to Rule 36.

(b1) Notwithstanding subsection (b) of this rule, the Local, Regional and State Revenues Subcommittee may include in its report to the Finance Committee a recommendation that the original bill be reported unfavorably or without prejudice directly to the floor of the House, if approved by the Chair of the Finance Committee.

(c) When a committee substitute is adopted by a permanent subcommittee or a standing committee for a bill which was introduced with no substantive provisions and the committee substitute deletes a majority of the provisions of the original bill and adds provisions that are not germane to the original bill, no further action may be taken by any standing committee or permanent subcommittee upon such bill until the second legislative day thereafter.

RULE 33. Papers Addressed to the House. -- Petitions, memorials, and other papers addressed to the House shall be presented by the Speaker. A brief statement of the contents thereof may be orally made by the introducer before reference to a committee, but such papers shall not be debated or decided on the day of their first being read unless the House shall direct otherwise.

RULE 34. Introduction of Resolutions and Bills, Copies Required. --

(a) Whenever any resolution or bill is introduced, a duplicate copy thereof shall be attached thereto, and the Principal Clerk shall cause said duplicate copy to be numbered as the original resolution or bill is

numbered, and shall cause the same to be available at all times to the member introducing the same.

(b) Numbering of House Bills shall be designated as "H.B. ____." (No. following). A Joint Resolution shall be designated as "H.J.R. ____." (No. following). A House Resolution shall be designated as "H.R. ____." (No. following).

(c) Whenever any resolution or bill is filed for introduction, it shall be in a House bill jacket containing 30 copies and in the form designated by the Speaker. Any resolution or bill not accompanied by the required number of copies shall be immediately returned to the introducer. The Clerk shall stamp the copies with the number stamped upon the original bill.

RULE 35. Duplicating and Availability of Copies of Bills. -- (a) The Legislative Services Officer shall cause such bills as are introduced to be duplicated in such numbers as may be specified by the Speaker. The Legislative Services Officer shall cause one copy of each resolution and public bill for each member to be delivered to the member's clerk or secretary who shall place it in the appropriate notebook on the member's desk. If a member so requests, a second copy shall be delivered to the member's clerk or secretary who shall place it in the member's office. The remaining copies shall be placed in the Printed Bills Room and made available to the committees to which the bill is referred, to individual members on request, and to the general public.

(b) A public bill is a bill affecting 15 or more counties. A local bill is one affecting fewer than 15 counties. No public bill and, upon objection by a member, no local bill may be considered unless copies of the bill have been made available to the entire membership of the House.

RULE 35.1. Assessment Reports. -- Every bill or resolution proposing the establishment of an occupational or professional licensing board, as defined in Article 18A of Chapter 120 of the General Statutes, or a study for the need to establish such a board shall have attached to the jacket of the original bill or resolution at the time of its consideration on second and third readings by the House or by any standing committee or permanent subcommittee of the House, an assessment report from the Legislative Committee on New Licensing Boards pursuant to Article 18A of Chapter 120 of the General Statutes. The assessment report shall not constitute any part of the expression of legislative intent proposed by the formation of a licensing board. Upon receipt of the request, the Legislative Committee on New Licensing Boards shall prepare and return the assessment report as soon as possible but not later than 60 days, reserving the right to extend this time to 90 days.

RULE 36. Report by Standing Committee or Permanent Subcommittee. -- All House bills and resolutions shall be reported from the standing committee or permanent subcommittee to which referred with such

recommendations as the standing committee or permanent subcommittee may desire to make except in the case where the principal introducer requests in writing to the Chair of the standing committee or permanent subcommittee that the bill not be considered.

With the written approval of the Chair of the standing committee and with the recommendation of the subcommittee pursuant to Rule 32(b)(4) through (6), the Chair of the permanent subcommittee may report the bill directly to the floor with that recommendation. With the written approval of the Chair of the Finance Committee, the Chair of the Local, Regional, and State Revenues Subcommittee may report directly to the floor a bill with the recommendation of that Subcommittee under Rule 32(b)(4) through (6) or Rule 32(b1). If a permanent subcommittee recommends reporting a bill to the floor and the Chair of the standing committee fails to give approval, the bill shall be deemed to have been reported to the standing committee with the same recommendation as the subcommittee would have made to the House.

(a) **Favorable Report.** When a standing committee or permanent subcommittee reports a bill with the recommendation that it be passed, the bill shall be placed on the favorable calendar on the day designated by the Chair of the Committee on Rules, Calendar, and Operations of the House, except that in the absence of the Chair of the Committee on Rules, Calendar, and Operations of the House, the Speaker may take such action, and except that bills on the Public Consent Calendar shall be placed on the favorable calendar as provided by Rule 40. In order to place a bill on the calendar for a legislative day, notice shall be given orally in the House or in writing to the Principal Clerk. When a committee substitute is adopted and receives a favorable report by the committee or permanent subcommittee, the standing committee or permanent subcommittee Chair shall submit to the standing committee or permanent subcommittee the question of an unfavorable report on the original bill. The standing committee's or permanent subcommittee's action, if any, on the original bill shall be reported at the same time the committee substitute is reported.

(b) **Report Without Prejudice.** When a standing committee or the Local, Regional, and State Revenues Subcommittee reports a bill without prejudice, the bill shall be placed on the favorable calendar in the same manner as provided in subsection (a) of this rule.

(c) **Postponed Indefinitely.** When a standing committee reports a bill with the recommendation that it be postponed indefinitely and no minority report accompanies it, the bill shall be placed on the unfavorable calendar.

(d) **Unfavorable Report.** When a standing committee or the Local, Regional, and State Revenues Subcommittee reports a bill with the recommendation that it be not passed and no minority report accompanies it, the bill shall be placed on the unfavorable calendar.

(e) **Minority Report.** When a bill is reported by a standing committee with a recommendation that it be not passed or that it be postponed indefinitely, but it is accompanied by a minority report signed by at least one-fourth (1/4) of the members of the standing committee who were present and voting when the bill was considered in standing committee, the question before the House shall be: "The adoption of the minority report." If the minority report is adopted by majority vote, the bill shall be placed on the favorable calendar for consideration. If the minority report fails of adoption by a majority vote, the bill shall be placed on the unfavorable calendar.

RULE 36.1. Fiscal Notes. -- (a) The Chair or Cochair of the Appropriations Committee, of the Finance Committee, or of the Rules, Calendar, and Operations of the House Committee, upon the floor of the House may request that a fiscal analysis be made of a bill, resolution, or an amendment to a bill or resolution which is in the possession of the House and that a fiscal note be attached to the measure, when in the opinion of that Chair the fiscal effects of that measure are not apparent from the language of the measure.

(b) The fiscal note shall be filed and attached to the bill or amendment within two legislative days of the request. If it is impossible to prepare a fiscal note within two legislative days, the Director of Fiscal Research shall, in writing, so advise the Speaker, the Principal Clerk, and the member introducing or proposing the measure and shall indicate the time when the fiscal note will be ready.

(c) The fiscal note shall be prepared by the Fiscal Research Division on a form approved by the Rules, Calendar, and Operations of the House Committee as to content and form and signed by the staff member or members preparing it. If no estimate in dollars is possible, the fiscal note shall indicate the reasons that no estimate is provided. The fiscal note shall not comment on the merit but may identify technical problems. The Fiscal Research Division shall make the fiscal note available to the membership of the House.

(d) A sponsor of a bill or amendment may deliver a copy of the bill or amendment to the Fiscal Research Division for the preparation of a fiscal note. The sponsor shall attach the fiscal note to the bill when filed or to the amendment when its adoption is moved.

(e) The sponsor of a bill or amendment to which a fiscal note is attached who objects to the estimates and information provided may reduce to writing the objections. These objections shall be appended to the fiscal note attached to the bill or amendment and to the copies of the fiscal note available to the membership.

(f) Subsection (a) of this rule shall not apply to the current operations appropriations bill or the capital improvements appropriations bill. This

rule shall not apply to a bill or amendment requiring an actuarial note under these rules.

RULE 36.2. Actuarial Notes. -- (a) Every bill or resolution proposing any change in the law relative to any:

- (1) State, municipal, or other retirement system funded in whole or in part out of public funds; or
- (2) Program of hospital, medical, disability or related benefits provided for teachers and State employees, funded in whole or in part by State funds;

shall have attached to it at the time of its consideration by any standing committee or permanent subcommittee a brief explanatory statement or note which shall include a reliable estimate of the financial and actuarial effect of the proposed change to that retirement or pension system. The actuarial note shall be attached to the jacket of each proposed bill or resolution which is reported favorably by any standing committee or any permanent subcommittee, shall be separate therefrom, and shall be clearly designated as an actuarial note. A bill described in subsection (a)(1) of this rule shall be referred to the Committee on Pensions and Retirement upon its introduction.

(b) The sponsor of the bill or resolution shall present a copy of the measure, with a request for an actuarial note, to the Fiscal Research Division which shall prepare the actuarial note as promptly as possible but not later than two weeks after the request is made unless an extension of time is agreed to by the sponsor as being necessary in the preparation of the note. Actuarial notes shall be prepared in the order of receipt of request and shall be transmitted to the sponsor of the measure. The actuarial note of the Fiscal Research Division shall be prepared and signed by an actuary.

(c) The sponsor of the bill or resolution shall also present a copy of the measure to the actuary employed by the system or program affected by the measure. Actuarial notes shall be prepared and transmitted to the sponsor of the measure not later than two weeks after the request is received, unless an extension of time is agreed to by the sponsor as being necessary in the preparation of the note. The actuarial note shall be attached to the jacket of the measure. The provisions of this subsection may be waived by the measure's sponsor for a measure affecting local government retirement or pension plans not administered by the State or any local government program of hospital, medical, disability or related benefits for local government employees not administered by the State.

(d) The note shall be factual and shall, if possible, provide a reliable estimate of both the immediate effect and, if determinable, the long-range fiscal and actuarial effect of the measure. If, after careful investigation, it is determined that no dollar estimate is possible, the note shall contain a statement to that effect, setting forth the reasons why no dollar estimate can

be given. No comment or opinion shall be included in the actuarial note with regard to the merits of the measure for which the note is prepared. Technical and mechanical defects in the measure may be noted.

(e) When any permanent subcommittee or standing committee reports a measure to which an actuarial note is attached at the time of permanent subcommittee or standing committee consideration, with any amendment of such nature as would substantially affect the cost to or the revenues of any retirement or pension system, or program of hospital, medical, disability, or related benefits for teachers or State employees, the Chair of the permanent subcommittee or standing committee reporting the measure shall obtain from the Fiscal Research Division an actuarial note of the fiscal and actuarial effect of the proposed amendment. The actuarial note shall be attached to the jacket of the measure. An amendment to any bill or resolution shall not be in order if the amendment affects the costs to or the revenues of a State-administered retirement or pension system, or program of hospital, medical, disability, or related benefits for teachers or State employees, unless the amendment is accompanied by an actuarial note, prepared by the Fiscal Research Division, as to the actuarial effect of the amendment.

(f) The Fiscal Research Division shall make all relevant actuarial notes available to the membership of the House.

RULE 36.4. Local Legislation Affecting State Highway System. -- A local bill affecting the State Highway System shall be referred to the Committee on Transportation.

RULE 37. Removing Bill From Unfavorable Calendar. -- A bill may be removed from the unfavorable calendar upon motion carried by a two-thirds (2/3) vote. A motion to remove a bill from the unfavorable calendar is debatable.

RULE 38. Reports on Appropriation and Revenue Bills. -- (a) All standing committees, other than the Standing Committee on Appropriations, when favorably reporting any bill or resolution which:

1. Carries an appropriation from the State; or
2. Requires or will require in the future substantial additional State monies from the General Fund or Highway Fund to implement its provisions, shall indicate same in the report, and said bill or resolution shall be referred to the Standing Committee on Appropriations for a further report before being acted upon by the House.

(b) All standing committees, other than the Standing Committee on Finance, when favorably reporting any bill which in any way or manner raises revenue, reduces revenue, levies a tax, authorizes the levying of a tax, an assessment, or a fee, or authorizes the issue of bonds or notes, whether public, public-local, or private, shall indicate same in the report, and said

bill shall be referred to the Standing Committee on Finance for a further report before being acted upon by the House.

(c) **Action on Amendment Before Re-Referral.** If any standing committee recommends adoption of an amendment or committee substitute of a bill which, under the rules of the House must be referred to the Standing Committees on Appropriations or the Standing Committee on Finance, the amendment or committee substitute shall be considered and, if adopted, the amendment or substitute engrossed before the bill is re-referred.

RULE 39. Recall of Bill From Standing Committee; Discharge Petition. -- (a) When a House bill has been introduced and referred to a standing committee, or when a Senate bill has been referred to a standing committee, if after 10 legislative days the standing committee has failed to report the bill, then the introducer of the House bill or some member designated by him, or some House member designated by the introducer of the Senate bill, may, after three legislative days' public notice given in the House and delivered in writing to the Chair of the standing committee, on motion supported by a vote of three-fifths (3/5) of the members of the House, recall the same from the standing committee to the floor of the House for consideration and such action thereon as a majority of the members present may direct.

(b) A motion to discharge a committee from consideration of a bill or resolution may be filed with the Principal Clerk if accompanied by a petition signed by three-fifths (3/5) of the members of the House asking that the committee be discharged from further consideration of the bill or resolution. No petition may be circulated for signatures until 10 legislative days after the bill has been referred to the committee. No petition may be circulated for signature until notice has been given on the floor of the House that the petition is to be circulated. If such a motion accompanied by a valid petition is filed, the Principal Clerk shall place that motion on the calendar for the next legislative day as a special order of business. If the motion is adopted by the House, then the committee to which the bill or resolution has been referred to is discharged from further consideration of the bill or resolution, and that bill or resolution is placed on the calendar for the next legislative day as a special order of business. If the committee had, prior to discharge, adopted any amendment or committee substitute for the bill, it shall be in order to offer that amendment or substitute on the floor as if it were a committee amendment or substitute. The Principal Clerk shall provide a form for discharge petitions.

(c) This rule shall not be temporarily suspended without one day's notice on the motion given in the House and delivered in writing to the Chair of the standing committee, and to sustain that motion two-thirds (2/3) of the members of the House shall be required.

RULE 39.1. Recall of Bill From Permanent Subcommittee. -- When a House bill has been referred to a permanent subcommittee, if after 10 legislative days the subcommittee has failed to act thereon, or at any time, with the agreement of the subcommittee Chair, the standing committee Chair may re-refer the bill from that permanent subcommittee to another permanent subcommittee of the same standing committee provided the report of the re-referral shall be made pursuant to Rule 32.

RULE 39.2. Re-Referral of Bills From One Standing Committee to Another Standing Committee. -- Upon consent of the sponsor of the bill, the Speaker, the Chair of the standing committee from whom the bill is to be re-referred, and the Chair of the standing committee to whom the bill is to be re-referred, the Chair of the standing committee from whom the bill is to be re-referred or the Chair of the Committee on Rules, Calendar, and Operations of the House may move for a re-referral to another standing committee and the bill shall be re-referred upon vote of the majority present during a regular session of the House.

RULE 40. Calendars and Schedules of Business. -- (a) The Clerk of the House shall prepare a daily schedule of business, including the Calendar of Bills and Resolutions for consideration and debate that day, in accordance with the Order of Business of the Day (Rule 5). The Clerk shall number all bills and resolutions in the order in which they are introduced. All bills and resolutions shall be taken up as they appear in each category (Rule 5(10)) in the order they were placed on the Calendar under Rule 36(a).

(b) When a public bill has received a recommendation for a favorable report, favorable report as amended, or favorable as to committee substitute, and the vote in the committee was unanimous of the members present and voting, the Chair of the Committee (or the Chair of the subcommittee if the bill is being reported directly to the floor) may designate in the committee report that the bill is to go on the consent calendar. The bill shall appear on the consent calendar for the second legislative day after the report is made. The Principal Clerk shall note on the calendar for the next legislative day the bills, including short titles, that will appear on the consent calendar for the following legislative day. A bill shall be removed from the consent calendar if any member of the House makes such request in writing to the Principal Clerk no later than one hour before convening of the House on the day the bill appears on the consent calendar, and in such case the bill shall be placed on the regular calendar for that day. It shall not be in order to offer any amendment to a bill on the consent calendar except committee amendments. The Speaker may recognize the sponsor of the bill for not to exceed two minutes of debate (or a person designated by the Chair of the committee reporting the bill in the case of a Senate bill). The Speaker shall then put the question on the bill. The bill shall appear on the consent calendar for third reading unless a

member requests, no later than the adjournment of the daily session when the bill passed second reading, that the bill appear on the regular calendar.

RULE 41. Reading of Bills. -- (a) Every bill shall receive three readings in the House prior to its passage. The first reading and reference to standing committee of a House bill shall occur on the next legislative day following its introduction. The first reading and reference to standing committee of a Senate bill shall occur on the next legislative day following its receipt on messages from the Senate. The Speaker shall give notice at each subsequent reading whether it be the second or third reading.

(b) No bill shall be read more than once on the same day without the concurrence of two-thirds (2/3) of the members present and voting; provided, no bill governed by Article II, Section 23 of the North Carolina Constitution or described in Rule 20 (a)(2) herein shall be read twice on one day under any circumstance.

RULE 42. Effect of a Defeated Bill. -- (a) Subject to the provisions of subsection (b) of this rule, after a bill has:

1. Been tabled,
2. Been postponed indefinitely,
3. Failed to pass on any of its readings, or
4. Been placed on the unfavorable calendar,

the contents of that bill or the principal provisions of its subject matter shall not be considered in any other measure originating in the Senate or originating thereafter in the House. Upon the point of order being raised and sustained by the Chair, that measure shall be laid upon the table, and shall not be taken therefrom except by a two-thirds (2/3) vote of the members present and voting.

(b) No local bill shall be held by the Chair to embody the contents of or the principal provisions of the subject matter of any statewide measure which has been laid on the table, has failed to pass on any of its readings, or has been placed on the unfavorable calendar.

RULE 43. Amendments. -- No amendment to a measure before the House shall be in order unless the amendment is germane to the measure under consideration. A House amendment deleting a previously adopted House amendment shall not be in order, except that this sentence does not apply to amendments adopted under Rule 38(c).

If the Senate adopts an amendment or committee substitute to a House bill, the House may not refuse to receive the bill on account of lack of germaneness if the Senate has a similar rule.

Only one principal (first degree) amendment shall be pending at any one time. If a subsequent or substitute principal amendment shall be offered, the Speaker shall rule it out of order. However, any member desiring to offer a subsequent or substitute principal amendment in opposition to the pending amendment may inform the House by way of argument against the

pending amendment that if it is defeated the member proposes to offer another principal amendment, and the member may then read and explain such proposed amendment.

Perfecting (or second degree) amendments may be offered and considered without limitation as to number, and in the event of multiple perfecting amendments, they shall be voted upon in inverse order.

RULE 43.1. Engrossment. -- Bills and resolutions, except those making appropriations, which originate in the House and which are amended, shall be engrossed before being sent to the Senate.

RULE 43.2. House Concurrence in Senate Amendments to House Bills. -- The House shall not concur in a Senate amendment to a bill originating in the House until the next legislative day after the day on which the House receives the Senate amendment.

RULE 43.3. Committee Substitutes Adopted by the Senate to Bills Originating in the House; Procedure for Treatment of Material Amendments Thereto. -- (a) Whenever the Senate has adopted a committee substitute for a bill originating in the House, and has returned the bill to the House for concurrence in that committee substitute, the House may not concur in that committee substitute until the next legislative day following the day on which the House receives that committee substitute.

(b) The Speaker may, and upon motion supported by a majority of the House present and voting shall, refer the bill to an appropriate standing committee for consideration of the committee substitute.

(c) The Speaker shall, in placing the bill on the calendar, rule whether the committee substitute is a material amendment under Article II, Section 23 of the State's Constitution which reads:

"Revenue bills. -- No law shall be enacted to raise money on the credit of the State, or to pledge the faith of the State directly or indirectly for the payment of any debt, or to impose any tax upon the people of the State, or to allow the counties, cities, or towns to do so, unless the bill for the purpose shall have been read three several times in each House of the General Assembly and passed three several readings, which readings shall have been on three different days, and shall have been agreed to by each House respectively, and unless the yeas and nays on the second and third readings of the bill shall have been entered on the journal."

If the committee substitute was referred to standing committee, the standing committee shall:

1. Report the bill with the recommendation either that the House concur or that the House do not concur; and
2. Advise the Speaker as to whether or not that committee substitute is a material amendment under Article II, Section 23 of the State's Constitution.

(d) If the committee substitute for a bill is not a material amendment, the question before the House shall be concurrence.

(e) If the committee substitute for a bill is a material amendment, the receiving of that bill on messages shall constitute first reading and the question before the House shall be concurrence on second reading. If the motion is passed, the question then shall be concurrence on third reading on the next legislative day.

(f) No committee substitute adopted by the Senate for a bill originating in the House may be amended by the House.

RULE 44. Conference Standing Committees. -- (a) Whenever the House shall decline or refuse to concur in amendments put by the Senate to a bill originating in the House, or shall refuse to concur in a substitute adopted by the Senate for a bill originating in the House or whenever the Senate shall decline or refuse to concur in amendments put by the House to a bill originating in the Senate, or shall refuse to concur in a substitute adopted by the House for a bill originating in the Senate, a conference committee may be appointed by the Speaker upon the Speaker's own motion or shall be appointed upon request by the principal sponsor of the original bill, the Chair of the House standing committee which reported the bill, or by the sponsor of the amendment in which the Senate refused to concur; and the bill under consideration shall thereupon go to and be considered by the joint conferees on the part of the House and Senate. In appointing members to conference committees, the Speaker shall appoint no less than a majority of members who generally supported the House position as determined by the Speaker.

(b) Only such matters as are in difference between the two houses shall be considered by the conferees, and the conference report shall deal only with such matters. The conference report may be made by a majority of the House members of such conference committee and shall not be amended.

(c) If the conferees fail to agree, new conferees may be appointed. However, if either house refuses to adopt the report of its conferees, the Speaker may appoint new conferees.

(d) No vote shall be taken on adoption of a conference report until the next legislative day following the report.

RULE 44.1. Transmittal of Bills to Senate. -- Unless ordered by the Speaker or two-thirds (2/3) vote of the members present and voting, no bill shall be sent from the House on the day of its passage, except on the last day of the session.

VII. Legislative Officers and Employees

RULE 45. Elected Officers. -- (a) The House shall elect one of its members Speaker.

(b) The House shall elect one of its members Speaker Pro Tempore who shall perform such duties as the Speaker may assign and shall preside over

the House in the absence or incapacity of the Speaker and shall perform all of the duties of the Speaker until such time the Speaker may assume the Chair.

(c) The House shall elect a Principal Clerk, who shall continue in office until another is elected. The Speaker shall appoint a Reading Clerk and a Sergeant-at-Arms, who shall serve at the Speaker's pleasure. The Principal Clerk, Reading Clerk, and Sergeant-at-Arms shall have and perform duties and responsibilities, not inconsistent with these rules, as the Speaker may assign. Unless directed otherwise by the Speaker on behalf of the House, the Principal Clerk or an employee designated by the Principal Clerk shall receive House bills not approved by the Governor. In addition, the Sergeant-at-Arms may assign the Reading Clerk additional duties, to be performed while the House is not in its daily session.

RULE 46. Assistants to Principal Clerk and Sergeant-at-Arms. -- The Principal Clerk and the Sergeant-at-Arms may appoint, with the approval of the Speaker, such assistants as may be necessary to the efficient discharge of the duties of their respective offices.

RULE 47. Speaker's Clerk, Chaplain, and Pages. -- (a) The Speaker may appoint one or more clerks to the Speaker, a Chaplain of the House, and pages to wait upon the sessions of the House.

(b) When the House is not in session, the pages shall be under the supervision of the Supervisor of Pages.

(c) No member may have more than 10 persons designated as honorary pages.

RULE 48. Clerks and Secretaries. -- (a) Each standing committee and permanent subcommittee shall have a clerk. The clerk to a standing committee or permanent subcommittee shall serve as secretary to the Chair of the standing committee or permanent subcommittee.

(b) Each member shall be assigned a secretary, unless the member has a standing committee or permanent subcommittee clerk to serve as secretary.

(c) The selection and retention of clerks and secretaries shall be the sole prerogative of the individual member or members. Such clerks and secretaries shall file initial applications for employment with the Principal Clerk and shall receive compensation as prescribed by the Legislative Services Commission. The employment period of clerks and secretaries shall commence not earlier than the convening date of the General Assembly and shall terminate not later than the final adjournment or recess of the General Assembly unless employment for an extended period is approved by the Speaker. The clerks and secretaries shall adhere to such uniform rules and regulations not inconsistent with these rules regarding hours and other conditions of employment as the Legislative Services Commission shall fix by appropriate regulations.

RULE 49. Compensation of Clerks and Secretaries. -- No clerk, laborer, or other person employed or appointed under Rules 46, 47, and 48 hereof shall receive during such employment, appointment, or service, any compensation from any department of the State government, and there shall not be voted, paid, or awarded any additional pay, bonus, or gratuity to any of them; but they shall receive only the pay now provided by law for such duties and services.

VIII. Privileges of the Hall

RULE 50. Admittance to Floor. -- No person except members, officers, and employees of the General Assembly and former members of the General Assembly who are not registered under the provisions of Article 9 of Chapter 120 of the General Statutes of North Carolina shall be allowed on the floor of the House during its session, unless permitted by the Speaker or otherwise provided by law. Employees of the General Assembly shall wear identification tags, approved by the Legislative Services Officer, when on the floor of the House.

RULE 51. Admittance of Press. -- Reporters wishing to take down debates may be admitted by the Speaker, who shall assign such places to them on the floor or elsewhere, to effect this object, as shall not interfere with the convenience of the House. Reporters admitted to the floor of the House shall observe the same requirements of attire for members contained in Rule 12(h).

RULE 52. Extending Courtesies. -- Courtesies of the floor, galleries, or lobby shall be extended at the discretion of the Speaker and only by the Speaker. Requests by members to extend these courtesies shall be typewritten and delivered to the Speaker. No member shall orally ask the Speaker to extend these courtesies during the daily session.

RULE 53. Order in Galleries and Lobby. -- In case of any disturbance or disorderly conduct in the galleries or lobby, the Speaker or other presiding officer is empowered to order the same to be cleared.

IX. General Rules

RULE 54. Attendance of Members. -- No member or officer of the House shall absent himself from the service of the House without leave, unless from sickness or disability.

RULE 55. Documents to Be Signed by the Speaker. -- All acts, addresses, and resolutions and all warrants and subpoenas issued by order of the House shall be signed by the Speaker or other presiding officer.

RULE 56. Printing or Reproducing Materials. -- There shall be no printing or reproducing of paper(s) that are not legislative in essence except upon approval of the Speaker.

RULE 57. Placement or Circulation of Materials. -- Persons other than members of the House shall not place or cause to be placed any materials on members' desks in the House Chamber without obtaining approval of the

Speaker. Any material placed on members' desks in the House Chamber, or circulated to House members anywhere in the Legislative Building or the Legislative Office Building, shall bear the name of the originator.

RULE 58. Rules, Rescission and Alteration. -- (a) These rules shall not be permanently rescinded or altered except by House simple resolution passed by a two-thirds (2/3) vote of the members present and voting. The introducer of the resolution must on the floor of the House give notice of intent to introduce the resolution on the legislative day preceding its introduction.

(b) Except as otherwise provided herein, the House upon two-thirds (2/3) vote of the members present and voting may temporarily suspend any rule.

RULE 59. Cosponsorship of Bills and Resolutions. -- (a) Any member wishing to cosponsor a bill or resolution which has been introduced may do so by appearing in the office of the Principal Clerk for such purpose within one-half hour following the adjournment of the session during which such bill or resolution was first read and referred.

(b) No member shall permit anyone, other than that member's secretary or clerk, or another member, to have possession of and solicit for bill or resolution cosponsorship, the jacket of a bill or resolution.

RULE 60. Correcting of Typographical Errors. -- The Legislative Services Officer may correct typographical errors appearing in House bills or resolutions provided that such corrections are made before ratification and do not conflict with any actions or rules of the Senate and provided further that such correction be approved by the Chair of the Standing Committee on Rules, Calendar, and Operations of the House, the Speaker, or other presiding officer.

RULE 61. Assignment of Seats. -- After initial assignment of seats, a member shall continue to occupy the seat to which initially assigned until assigned a permanent seat; once assigned a permanent seat, the member shall occupy it for the entire biennial session. In event of vacancy, that member's successor will occupy the seat of the member replaced for the remainder of the biennial session.

RULE 61.1. Office Assignments. -- The Chair of the Standing Committee on Rules, Calendar, and Operations of the House shall assign to each member an office space. When available, Chairs of standing committees and permanent subcommittees shall be assigned an office adjacent to the room in which the standing committee or permanent subcommittee generally meets if the Chair so desires. The Speaker shall be assigned an office of his or her choice.

RULE 61.2. Convening and Assigning Seats in the New House. -- (a) The Principal Clerk of the previous House of Representatives shall convene the House of Representatives at 12:00 noon on the date established by law for the convening of each regular session, and preside over the body until

the members elect a Speaker. In the case of a vacancy, inability, or refusal to so serve, the duty shall devolve upon the sergeant-at-arms of the prior House, and in the case of a vacancy in that office, or inability or refusal to so serve, the duty shall devolve upon the reading clerk of the prior House.

(b) It shall be the duty of the Chair of the Standing Committee on Rules, Calendar, and Operations of the House of the prior House to assign seats to the members of the House of Representatives in its Chamber. In the case of a death of the Chair of the Standing Committee on Rules, Calendar, and Operations of the House, or that Chair's inability or refusal to serve, the Speaker of the prior House of Representatives shall appoint a person to assign seats to members of the House of Representatives in its Chamber. In the event that the party that had a majority of members in the prior House will no longer have a majority of members of the new House, then the duty assigned in this subsection to the Chair of the committee of the prior House shall instead be the duty of the person nominated as Speaker by the majority party caucus for the new House, or some member-elect designated by the Speaker-nominee. In the event no party will have a majority, then the duty assigned in this subsection to the Chair of the committee of the prior House shall instead be the joint duty of one person chosen each by the caucuses of the two parties having the greatest numbers of members.

RULE 62. Matters Not Covered in These Rules. -- Except as herein set out the rules of Mason's Manual of Legislative Procedure shall govern the operation of the House.

Section 2. This resolution is effective upon adoption.

H. R. 21, A HOUSE RESOLUTION HONORING THE LIFE AND MEMORY OF JOHN SHORTRIDGE, FOUNDER OF THE CITY OF HAMLET, ON THE CITY'S ONE HUNDREDTH ANNIVERSARY.

Whereas, on February 9, 1997, the City of Hamlet in Richmond County celebrated 100 years of incorporation; and

Whereas, the founding of the City of Hamlet can be traced to John Shortridge, one of the city's earliest settlers; and

Whereas, John Shortridge was born in Carlisle, England, in 1818, and at the age of 20, he and his mother immigrated to the United States, settling in Rhode Island; and

Whereas, John Shortridge married Mary Jane McQuiston in 1838; and

Whereas, John Shortridge moved his family to Rockingham, North Carolina, in 1847, and at that time, John Shortridge became associated with the Richmond Manufacturing Company; and

Whereas, John Shortridge found success in milling and real estate, built a sawmill and a woolen mill; and for the next 25 years, he and his wife raised their children in the Ledbetter Mill area; and

Whereas, following the destruction of his mills in 1865, and the death of his wife in 1868, John Shortridge moved to an area known as the Sandhills, a few miles southeast of the Ledbetter Mill area in 1872; and

Whereas, John Shortridge built a new woolen mill and sawmill and began to regain his losses; and

Whereas, the area where John Shortridge lived came to be known as Shortridge Mills, but in 1873 the area was named Hamlet, a word used to describe a small village; and

Whereas, John Shortridge's notable contributions to the City of Hamlet include enticing the railroad to come directly to the city, donating land for the railroad, allowing his home to be used for the city's first post office, and donating land for a church and helping to erect the church; and

Whereas, John Shortridge died in 1882; and

Whereas, many of John Shortridge's descendants continue to live in the City of Hamlet; and

Whereas, Hamlet's 100th anniversary and John Shortridge's contributions to the development of Hamlet are worthy of celebration and should be enjoyed and supported by all of North Carolina's citizens;

Now, therefore, be it resolved by the House of Representatives:

Section 1. The House of Representatives honors the life and memory of John Shortridge and urges the citizens of this State to participate in all activities commemorating the 100th anniversary of the City of Hamlet.

Section 2. The Principal Clerk shall transmit a copy of this resolution to the Mayor of the City of Hamlet.

Section 3. This resolution is effective upon adoption.

H. R. 323, A HOUSE RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATING AND ELECTING MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, INCLUDING A PROHIBITION ON NOMINATIONS FROM THE FLOOR, A REQUIREMENT THAT A NOMINEE RECEIVE THE VOTES OF A MAJORITY OF THE MEMBERS PRESENT AND VOTING IN THE NOMINEE'S CATEGORY IN ORDER TO BE ELECTED, AND TO PROVIDE THAT AT LEAST TWO PERSONS ON THE AT-LARGE BALLOT SHALL BE MEMBERS OF THE MAJORITY POLITICAL PARTY.

Be it resolved by the House of Representatives:

Section 1. The following procedures for nominating and electing eight members of the Board of Governors of The University of North Carolina (hereinafter the "Board of Governors") are adopted:

I. COMMITTEE RESPONSIBILITIES.

1. It is the duty of the UNC Board of Governors Committee of the House of Representatives (hereinafter the "Committee") to conduct a process for nominating and electing persons for each opening in each category of seats on the Board of Governors to which the House of Representatives is to elect members.

2. The Committee shall receive nominations for election to the Board of Governors through March 6, 1997. Each Representative may nominate up to two persons. In order for a person to have standing as a nominee, that person must be formally nominated by a member of the House of Representatives. Only a written nomination on a form provided by the Chair of the Committee for that purpose and received in the office of the Chair of the Committee by 12:00 noon on March 6, 1997, shall constitute a nomination. An individual cannot be a nominee or be nominated in more than one category. An individual is not eligible for nomination if he or she is nominated to the Board of Governors by the Senate during the 1997 Session.

3. A Representative may nominate persons only for the categories available for election by the House of Representatives. In the 1997 Session, the House of Representatives will elect:

(a) Six at-large members for four-year terms; and

(b) Two members of the political party to which the largest minority of members of the General Assembly belong for four-year terms.

4. On or after March 7, 1997, the Committee shall list all nominees by category. The Committee shall screen the nominees as to their qualifications, experience, opinions, and statutory suitability. The Committee may screen nominees by interviewing, or by soliciting written information, or by both means. On completion of the screening process, the Committee shall conduct a vote to ensure that the slate of legally qualified candidates lists no more than twice the number of candidates for the total seats open in each category. No less than two candidates on the ballot shall be members of the political party to which the majority of members of the General Assembly belong.

5. Each nominee shall confirm his or her willingness to serve if elected. Any nominee may withdraw without the approval of the sponsor.

II. ELECTIONS IN THE HOUSE OF REPRESENTATIVES.

1. A ballot shall be prepared under the supervision of the Chair of the Committee for the use of the House of Representatives. The ballot shall include no more than twice the number of legally qualified candidates for the total seats open in each category. No less than two candidates on the ballot shall be members of the political party to which the majority of members of the General Assembly belong.

2. The names of the nominees shall be arranged on the ballot (a) by category and (b) within each category by alphabetical order.

3. The House of Representatives shall hold its election no later than the beginning of the daily session on March 18, 1997. Before the voting begins, the Speaker of the House shall explain the voting rules, which are:

(a) No nomination shall be received from the floor.

(b) In order to be elected, a nominee must receive the votes of a majority of all members present and voting in the nominee's category.

(c) Each member present and voting shall vote for as many nominees as there are positions to be filled in each category.

(d) When fewer than two nominees in the minority party category, or fewer than six nominees in the at-large category, receive the votes of a majority of all members present and voting for positions in those categories, a runoff to fill the open position or positions shall be conducted among the nominees who were not elected but who received the highest number of votes cast in each category; and the number of nominees eligible to be voted on in the runoff shall be twice the number of positions to be filled.

(e) If there is a tie for the last position between two nominees who are eligible for the next runoff, both nominees shall be included in the next runoff balloting, even though there would be more than two nominees per available position.

(f) When more than two nominees in the minority party category, or more than six nominees in the at-large category, receive the votes of a majority of all members present and voting for positions in those categories, then the two nominees in the minority party category, and the six nominees in the at-large category receiving the highest number of votes in the category shall be deemed to have been elected.

4. The members of the House of Representatives shall proceed to mark their ballots for the following:

(a) Two persons in the minority political party of the General Assembly category for four-year terms; and

(b) Six persons in the at-large category, for four-year terms. Every ballot shall be signed by the member of the House of Representatives casting it, and no unsigned ballots shall be counted.

5. The Chair of the Committee is responsible for canvassing the vote and declaring the results and may designate members of the Committee to assist. All ballots shall be retained by the Principal Clerk as part of the

permanent records of the House of Representatives and shall be open for immediate public inspection.

6. When the Chair of the Committee has determined that the House of Representatives has elected two members from the minority party category, and six members from the at-large category to the Board of Governors for terms of four years, the Speaker of the House of Representatives shall declare those eight persons to have been elected by the House of Representatives to the indicated positions and for the indicated terms.

7. The results of the election in the House of Representatives shall then be sent by Special Messenger to the Senate.

III. NOTIFICATION OF ELECTION RESULTS.

When the election process is complete, the Chair of the Committee shall notify the Secretary of the Board of Governors of the names of the persons elected by the House of Representatives and the category and term for which each person was elected.

Section 2. This resolution is effective upon adoption.

H. R. 520, A HOUSE RESOLUTION COMMEMORATING THE FIFTIETH ANNIVERSARY OF THE NORTH CAROLINA MUSEUM OF ART.

Whereas, during the final hours of the 1947 General Assembly, a bill was passed on April 5, 1947, providing for the acquisition, preservation, and exhibition of art for the people of the State of North Carolina; and

Whereas, the 1947 act appropriated \$1 million for the purchase of old master paintings, provided that the appropriation would be matched with \$1 million; and

Whereas, North Carolina was the first state in the nation to set aside funds for a public art collection; and

Whereas, the Samuel H. Kress Foundation agreed to match the State appropriation with 71 paintings and sculptures, far exceeding the State's required match of \$1 million; and

Whereas, the North Carolina Museum of Art is considered to have the most important old master painting collection in the Southeastern United States; and

Whereas, since its opening in 1956, more than 5.2 million State residents and tourists have enjoyed the Museum and its art collection; and

Whereas, the Museum's collection, educational programs, and special projects, publications, and endeavors continue to receive the highest national and international praise; and

Whereas, new landscaping, sculpture, and lighting and the recent addition of the Museum Park Theater have greatly enhanced the Museum as

an important landmark for the City of Raleigh, Wake County, the Triangle area, and the entire State;

Now, therefore, be it resolved by the House of Representatives:

Section 1. The House wishes to observe the fiftieth anniversary of the North Carolina Museum of Art and to recognize and thank the trustees, volunteers, and staff who have contributed to the development of this distinguished institution. The House further invites the citizens of this State to join them in supporting and participating in activities commemorating the Museum's fiftieth anniversary.

Section 2. The Principal Clerk shall transmit a certified copy of this resolution to the Director of the North Carolina Museum of Art and to the Secretary of the Department of Cultural Resources.

Section 3. This resolution is effective upon adoption.

H. R. 1202, A HOUSE RESOLUTION HONORING THE LIFE AND MEMORY OF J. HAYWOOD ALLEN, SR., FORMER SHERIFF OF CLEVELAND COUNTY.

Whereas, J. Haywood Allen, Sr. was born in Rutherford County to Irwin M. Allen and Maude Weathers Allen; and

Whereas, J. Haywood Allen, Sr. lived most of his life in the Town of Shelby in Cleveland County; and

Whereas, in 1951, J. Haywood Allen, Sr. became sheriff of Cleveland County, following in the footsteps of his father who had also been sheriff of Cleveland County; and

Whereas, Sheriff Haywood Allen was elected as sheriff for eight terms, winning his last election with 62% of the vote; and

Whereas, over a span of almost 30 years, Sheriff Allen saw his office expand from one deputy to 80 deputies; and

Whereas, Sheriff Allen was known for his honesty, fairness, and professionalism; and

Whereas, Sheriff Allen served as president of the North Carolina Sheriffs' Association, Inc., and received national recognition for his service to law enforcement; and

Whereas, Sheriff Allen retired from his position on December 15, 1980; and

Whereas, J. Haywood Allen, Sr. was active in community affairs, serving as a faithful member of the First Baptist Church in Shelby and as a charter member of both the Kings Mountain Lions Club and the Shelby Optimist Club; and

Whereas, J. Haywood Allen, Sr., after a life of distinction and public service, died on December 25, 1996, at the age of 80; and

Whereas, J. Haywood Allen, Sr. is survived by his wife, Majel Stewart Allen; a son, John Haywood Allen, Jr.; two daughters, Kathryn Monroe and Jonanna Robbs; two grandchildren; and several other relatives and friends; and

Whereas, J. Haywood Allen, Sr.'s service to his profession and community was exemplary and deserves recognition; and

Whereas, the House of Representatives wishes to honor the memory of J. Haywood Allen, Sr. and recognize his many years of public service to the citizens of Cleveland County;

Now, therefore, be it resolved by the House of Representatives:

Section 1. The House of Representatives honors the memory of J. Haywood Allen, Sr. and expresses the gratitude and appreciation of this State and its citizens for his life and devoted service.

Section 2. The House of Representatives extends its deepest sympathy to the family of J. Haywood Allen, Sr. for their loss.

Section 3. The Principal Clerk shall transmit a certified copy of this resolution to the family of J. Haywood Allen, Sr.

Section 4. This resolution is effective upon adoption.

H. R. 1244, A HOUSE RESOLUTION COMMEMORATING THE FIFTIETH ANNIVERSARY OF INDIA'S INDEPENDENCE FROM BRITISH RULE.

Whereas, August 15, 1997, marks the fiftieth anniversary of India's independence from British rule; and

Whereas, despite wars, natural disasters, and political turmoil during the last 50 years, India has remained a democracy; and

Whereas, various activities throughout the world have been planned to celebrate the anniversary of India's independence; and

Whereas, approximately 10,000 Indian Americans live in North Carolina; and

Whereas, Indian Americans have contributed to the well-being of the State of North Carolina in the fields of health care, technology, science, and business;

Now, therefore, be it resolved by the House of Representatives:

Section 1. The House of Representatives urges the citizens of the State of North Carolina to commemorate the 50th anniversary of India's independence from Great Britain and to remember the freedoms and rights enjoyed due to the principles of a democratic form of government.

Section 2. The Principal Clerk shall transmit a certified copy of this resolution to the Indian American Forum for Political Education.

Section 3. This resolution is effective upon adoption.

**BOARDS AND COMMISSIONS
APPOINTMENTS BY THE SPEAKER
October 31, 1996 - December 31, 1997**

APPOINTED EXPIRES

ACUPUNCTURE LICENSING BOARD

G.S. 90-453 and G.S. 120-121

Mr. Richard Koerber (Expiration date corrected) 7/24/95 6/30/98

**ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE,
JOINT LEGISLATIVE**

G.S. 120-70.100

Rep. Billy J. Creech, (Reappointment) 10/1/97 1/14/99
Co-Chair

Rep. John W. Brown 10/1/97 1/14/99

Rep. James C. Carpenter 10/1/97 1/14/99

Rep. Walter O. Church, Sr. 10/1/97 1/14/99

Rep. James W. Crawford, Jr. 10/1/97 1/14/99

Rep. Stanley H. Fox 12/15/97 1/14/99

(Replaced Rep. Crawford)

Rep. Dewey L. Hill 10/1/97 1/14/99

Rep. W. Franklin Mitchell (Reappointment) 10/1/97 1/14/99

Rep. Constance K. Wilson 10/1/97 1/14/99

ADVISORY BUDGET COMMISSION

G.S. 143-4

Rep. Rex L. Baker (Reappointment) 2/20/97 1/31/99

Rep. Billy J. Creech (Reappointment) 2/20/97 1/31/99

Rep. Theresa H. Esposito (Reappointment) 2/20/97 1/31/99

Rep. Dewey L. Hill (Reappointment) 2/20/97 1/31/99

Rep. George M. Holmes (Reappointment) 2/20/97 1/31/99

AGING, GOVERNOR'S ADVISORY COUNCIL ON

G.S. 143B-181

Ms. Doris Dick 7/8/97 6/30/98

(Replaced Dr. John R. Kernodle)

AGING, NORTH CAROLINA STUDY COMMISSION ON

G.S. 120-180

Rep. Debbie A. Clary, Co-Chair	(Reappointment)	7/8/97	6/30/99
Rep. Marvin W. Aldridge		7/15/97	6/30/99
Rep. Arlie F. Culp		7/8/97	6/30/99
Rep. Beverly Earle	(Reappointment)	7/8/97	6/30/99
Rep. W. Eugene Wilson	(Reappointment)	7/8/97	6/30/99
Mrs. Donna Creech	(Reappointment)	7/8/97	6/30/99
Ms. Lorena S. Moree	(Reappointment)	7/8/97	6/30/99
Mr. George Wilson	(Reappointment)	7/8/97	6/30/99

**AGRICULTURE AND FORESTRY AWARENESS
STUDY COMMISSION**

G. S. 120-150

Rep. John W. Brown, Co-Chair	(Reappointment)	10/1/97	9/30/99
Rep. Arlie F. Culp	(Reappointment)	10/1/97	9/30/99
Rep. John H. Weatherly	(Reappointment)	10/1/97	9/30/99
Mr. W. M. "Dub" Lewis	(Reappointment)	10/1/97	9/30/99

ALARM SYSTEMS LICENSING BOARD

G.S. 74D-4

Mr. Phillip D. Matthews	8/29/97	6/30/2000
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AQUACULTURE ADVISORY BOARD

G.S. 106-760

Rep. John W. Brown	(Reappointment)	3/4/97	1/31/99
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ARBORETUM BOARD OF DIRECTORS, NORTH CAROLINA

G.S. 143-151.46

Mrs. Kaye A. Myers	1/16/97	7/1/2000
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**ART, BOARD OF TRUSTEES OF THE NORTH CAROLINA
MUSEUM OF**

G.S. 140-5.13

Mr. F. Borden Hanes	(Reappointment)	8/29/97	6/30/99
Mrs. Emily Meymandi	(Reappointment)	8/29/97	6/30/99

ATHLETIC TRAINER EXAMINERS, NORTH CAROLINA BOARD OF

G.S. 90-524

Mr. Kevin Allran	9/5/97	7/31/99
Dr. L. Allen Dobson, Jr.	9/5/97	7/31/99
Mr. Dwayne Durham	9/5/97	7/31/99

BIOTECHNOLOGY CENTER BOARD OF DIRECTORS, NORTH CAROLINA

By-laws

Dr. Robert G. Campbell (Forestry)	(Reappointment)	8/21/97	7/31/99
Dr. Lynn S. Fitzgerald (Medicine or pharmaceuticals)	(Reappointment)	8/21/97	7/31/99
Mr. Skipper Solomon (Animal agriculture)	(Reappointment)	8/21/97	7/31/99
Mr. James R. Trotter (At-large)	(Reappointment)	8/21/97	7/31/99
Dr. Donald R. van der Vaart (At-large)	(Reappointment)	8/21/97	7/31/99
Mr. Alan Williams (Replaced Mr. Solomon)		11/12/97	7/31/99

BLIND, CONSUMER AND ADVOCACY ADVISORY FOR THE

G.S. 143B-164

Rep. Arlie F. Culp	7/23/97	6/30/99
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BOXING COMMISSION, NORTH CAROLINA STATE

G.S. 143-652

Dr. Noel McDevitt (Non-voting member)	8/29/97	12/31/2000
Mr. Arthur Smith (Reappointment)	8/29/97	12/31/2000

BRIDGE AUTHORITY, NORTH CAROLINA

G.S. 136-89.161

Mr. Danny Gray (Reappointment)	8/29/97	6/30/2001
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BUDGET OVERSIGHT COMMITTEE, LEGISLATIVE

Chapter 443, 1997 Session Laws

Rep. George M. Holmes, Co-Chair	10/7/97	1/14/99
Rep. Gene G. Arnold	10/7/97	1/14/99
Rep. Joanne W. Bowie	10/7/97	1/14/99
Rep. James W. Crawford, Jr.	10/7/97	1/14/99
Rep. Billy J. Creech	10/7/97	1/14/99
Rep. Theresa H. Esposito	10/7/97	1/14/99
Rep. Charlotte A. Gardner	10/7/97	1/14/99
Rep. William M. Ives	10/7/97	1/14/99
Rep. Larry T. Justus	10/7/97	1/14/99
Rep. W. Franklin Mitchell	10/7/97	1/14/99
Rep. Carolyn B. Russell	10/7/97	1/14/99

BUILDING COMMISSION, STATE

G.S. 143-135.25

Mr. John Feezor

10/30/97 6/30/2000

**CANCER COORDINATION AND CONTROL,
ADVISORY COMMITTEE ON**

G.S. 130A-33.50

Rep. Martha B. Alexander

7/15/97 6/30/2001

Mrs. Nan Revell

(Reappointment) 7/15/97 6/30/2001

CAPITAL PLANNING COMMISSION, NORTH CAROLINA

G.S. 143B-374

Rep. Daniel T. Blue, Jr.

2/20/97 1/31/99

Rep. J. Russell Capps

(Reappointment) 2/27/97 1/31/99

Rep. Rick L. Eddins

(Reappointment) 2/20/97 1/31/99

Rep. David M. Miner

(Reappointment) 2/20/97 1/31/99

Rep. Charles B. Neely, Jr.

(Reappointment) 2/20/97 1/31/99

CENTENNIAL AUTHORITY

G.S. 160A-480.3

Mr. Brent Barringer

8/29/97 6/30/2001

Mr. O. Temple Sloan, Jr.

8/29/97 6/30/2001

**CHEROKEE EASTERN BAND OF THE, NORTH CAROLINA
ADVISORY COUNCIL ON**

G.S. 143B-411.1

Rep. Charles M. Beall

(Reappointment) 5/12/97 6/30/98

**CHILD CARE COMMISSION OF THE DEPARTMENT
OF HUMAN RESOURCES**

G.S. 143B-168.4

Ms. Jerri Howell

(Reappointment) 8/29/97 6/30/99

Ms. Melinda Spencer

(Reappointment) 8/29/97 6/30/99

CHILD CARE, STUDY COMMISSION ON

S.B. 929, Section 28.2(a)

Rep. Wilma M. Sherrill, Co-Chair	12/30/97	Final Report to 1999 G.A.
Rep. C. Robert Brawley	12/9/97	"
Rep. J. Russell Capps	12/9/97	"
Rep. Donald S. Davis	12/9/97	"
Rep. Beverly Earle	12/9/97	"
Rep. Theresa H. Esposito	12/30/97	"
Rep. Lyons Gray	12/30/97	"
Ms. Iva Jan Metcalf	12/30/97	"
Ms. Nancy Radcliff	12/9/97	"
Ms. Beth Rector	12/9/97	"

CHILD FATALITY TASK FORCE

G.S. 143-574

Mrs. Edna Hines (Replaced Mrs. Doris Giezentanner)	11/12/97	1/31/99
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CHILDREN AND YOUTH, GOVERNOR'S ADVOCACY COUNCIL ON

G.S. 143B-415

Rep. Mia Morris	9/5/97	6/30/2001
Rep. W. Eugene Wilson	11/12/97	6/30/2001

CHILDREN AND YOUTH, STUDY COMMISSION ON

G.S. 120-210(a)

Rep. Cynthia B. Watson, Co-Chair	12/2/97	1/15/99
Rep. Debbie A. Clary	12/2/97	1/15/99
Rep. John M. Rayfield	12/2/97	1/15/99
Rep. Alex Warner	12/2/97	1/15/99
Hon. Pattie S. Harrison	12/2/97	1/15/99
(Chief District Court Judge position)		
Mr. Larry Moore	12/2/97	1/15/99
(Representative of county department of social services)		
Ms. Pam Seamans	12/2/97	1/15/99
(Representative from Covenant with North Carolina Children)		
Dr. Stephen Shaffer	12/2/97	1/15/99
(Licensed physician position)		
Ms. Joanne Sharpe	12/2/97	1/15/99
(General public position)		
Ms. Denise Stallings	12/2/97	1/15/99
(Director of local health department position)		

**CHILDREN BOARD OF DIRECTORS,
NORTH CAROLINA PARTNERSHIP FOR**

G.S. 143B-168.12

Mr. John Carney	9/1/97	8/31/2000
(2nd Congressional District)		
Ms. Rachel Hoskins	7/24/97	8/31/99
(10th Congressional District)		
Mr. Donald L. Osborne	7/24/97	8/31/99
(6th Congressional District)		
Ms. Ellen Pickett	9/1/97	8/31/2000
(4th Congressional District)		

**CHILDREN, COUNCIL ON EDUCATIONAL SERVICES
FOR EXCEPTIONAL**

G.S. 115C-120

Rep. Jim Gulley	9/5/97	6/30/99
Rep. Cynthia B. Watson	(Reappointment) 9/5/97	6/30/99

**CHILDREN FROM BIRTH TO FIVE WITH
DISABILITIES AND THEIR FAMILIES,
INTERAGENCY COORDINATING COUNCIL FOR**

G.S. 143B-179.5

Rep. Theresa H. Esposito	3/5/97	6/30/98
(Replaced Rep. Joanne Sharpe)		

CHIROPRACTIC EXAMINERS, STATE BOARD OF

G.S. 90-139

Dr. Robert Stroud, Jr.	8/29/97	6/30/99
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CIVIL PROCEDURE STUDY COMMISSION

Chapter 17, Senate Bill 46, 2nd Extra Session, 1996 Session Laws

Mr. Marshall Hurley, Co-Chair	9/17/97	Final Report to 1998 G.A.
Rep. Philip A. Baddour, Jr.	9/17/97	"
Mr. Jim Faircloth	9/17/97	"
Mr. Alan Miles	9/17/97	"
Mr. Alan Pugh	9/17/97	"
Mr. Luther B. Starling, Jr.	9/17/97	"

CLEAN WATER MANAGEMENT TRUST FUND

G.S. 113-145.5 and G.S. 120-121

Karen Cragolin	11/20/96	10/31/98
Allen Holt Gwyn	11/20/96	10/31/2002
Robert D. Howard	11/20/96	10/31/2000
Phil Prescott	11/20/96	10/31/98
Chuck Wakild	11/20/96	10/31/2002
Drew Willis	11/20/96	10/31/2000

CODE OFFICIALS QUALIFICATION BOARD, NORTH CAROLINA

G.S. 143-151.9

Mr. Stanley D. Peaden	7/15/97	6/30/2001
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**COMPETITIVE TECHNOLOGIES BOARD OF DIRECTORS,
NORTH CAROLINA ALLIANCE FOR**

Executive Order No. 94

Rep. William C. Owens, Jr.	5/1/97	1/31/99
Rep. Dennis A. Reynolds (Reappointment)	5/1/97	1/31/99

CORRECTIONS OVERSIGHT COMMITTEE, JOINT LEGISLATIVE

G.S. 120-70.93

Rep. Larry T. Justus, Co-Chair (Reappointment)	2/20/97	1/31/99
Rep. Joanne W. Bowie	2/20/97	1/31/99
Rep. Walter G. Church, Sr.	2/20/97	1/31/99
Rep. James W. Crawford, Jr.	2/20/97	1/31/99
Rep. Dewey L. Hill	2/20/97	1/31/99
Rep. Joe L. Kiser	2/20/97	1/31/99
Rep. P. Wayne Sexton, Sr.	2/20/97	1/31/99
Rep. Gregory J. Thompson	2/20/97	1/31/99

COSMETIC ART EXAMINERS, STATE BOARD OF

G.S. 88-13

Ms. Jeannie Blakenship	8/29/97	6/30/2000
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COURTS COMMISSION, NORTH CAROLINA

G.S. 7A-506

Rep. Bobby Ray Hall (Non-Attorney position)	11/12/97	6/30/2001
Rep. Edwin M. Hardy	9/5/97	6/30/2001
Hon. David T. Flaherty (Reappointment)	10/15/97	6/30/2001
Ms. Judy J. Long (Non-Attorney position)	11/12/97	6/30/2001

CRIME COMMISSION, GOVERNOR'S

G.S. 143B-478

Rep. Edwin M. Hardy	3/1/97	2/28/99
Rep. Joe L. Kiser (Replaced Rep. Larry Linney)	1/1/97	2/28/97
(Reappointment)	3/1/97	2/28/99

CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION, NORTH CAROLINA

G.S. 17C-3

Mr. Bill Anderson	(Reappointment)	8/29/97	6/30/99
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CRIMINAL JUSTICE INFORMATION NETWORK GOVERNING BOARD

G.S. 143-661

Hon. Renee Kumor	(Reappointment)	8/29/97	6/30/2001
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CRIMINAL JUSTICE PARTNERSHIP ADVISORY BOARD, STATE

G.S. 143B-273.6

Rep. Larry T. Justus (Replaced Rep. Bertha Holt)	2/20/97	6/30/97
(Reappointment)	8/1/97	6/30/2000
Mrs. Betty Satterlee	2/20/97	6/30/99

CRIMINAL PROCEDURE STUDY COMMISSION

Chapter 17, Senate Bill 46, Second Extra Session, 1996 Session Laws

Rep. Edwin M. Hardy, Co-Chair	9/17/97	Final Report to 1998 G.A.
Rep. Daniel T. Blue, Jr.	9/17/97	"
Rep. Milton F. Fitch, Jr.	9/17/97	"
Rep. Joe L. Kiser	9/17/97	"
Mr. Thomas H. Lock	9/17/97	"
Mr. Jonathan Megerian	9/17/97	"

DEAF AND HARD OF HEARING, NORTH CAROLINA COUNCIL FOR THE

G.S. 143B-216.31

Rep. Martha B. Alexander	(Reappointment)	7/9/97	6/30/2001
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DIETETICS AND NUTRITION, NORTH CAROLINA BOARD OF

G.S. 90-354(a)(2)

Ms. Deborah M. Rosenquist	8/29/97	6/30/2000
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DISABILITIES, GOVERNOR'S ADVOCACY, COUNCIL FOR PERSONS WITH

G.S. 143B-403.2

Mrs. Pat Clapp (Mental Retardation)	(Reappointment)	8/29/97	6/30/99
Ms. Laurie Collins (At-large)	(Reappointment)	8/29/97	6/30/99
Mr. Max V. Krebs (Mental illness)	(Reappointment)	8/29/97	6/30/99
Mr. William B. Morris (At-large)	(Reappointment)	8/29/97	6/30/99
Ms. Sharon Plain (Physical disabilities)	(Reappointment)	8/29/97	6/30/99
Ms. Mary Howard Sutton (At-large)		8/29/97	6/30/99
Mr. James H. Wells (Developmental disabilities)	(Reappointment)	8/29/97	6/30/99

EARLY CHILDHOOD EDUCATION AND DEVELOPMENT INITIATIVES, JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON

G.S. 120-70.90

Rep. Charlotte A. Gardner	2/20/97	1/31/99
Rep. Edd Nye	2/20/97	1/31/99
Rep. Carolyn B. Russell	2/20/97	1/31/99
Rep. Wilma M. Sherrill	2/20/97	1/31/99
Rep. William L. Wainwright	2/20/97	1/31/99
Rep. Cynthia B. Watson	2/20/97	1/31/99

ECONOMIC DEVELOPMENT BOARD

G.S. 143B-434(b)

Rep. James C. Carpenter (Replaced Rep. Jack Hunt) (Reappointment)	2/20/97	6/30/97
Rep. David M. Miner	8/29/97	6/30/2001
Rep. William C. Owens, Jr. (Replaced Rep. George Robinson)	8/29/97	6/30/99

**ECONOMIC DEVELOPMENT COMMISSION,
NORTHEASTERN NORTH CAROLINA REGIONAL**

G.S. 158-8.2

Mr. William Lehmann	2/20/97	6/30/97
(Replaced Chancellor J. R. Jenkins) (At-large)		
(Reappointment)	8/29/97	6/30/2001
Mr. Philip McMullan, Jr.	8/29/97	6/30/2001
(Economic developer)		
Mr. Gene W. Minton	8/29/97	6/30/99
(At-large)		
Mr. John E. Schrote	8/29/97	6/30/2001
(At-large)		

**ECONOMIC DEVELOPMENT COMMISSION,
SOUTHEASTERN NORTH CAROLINA REGIONAL**

G.S. 158-8.3

Mr. James A. Cartrette	8/29/97	6/30/2001
Mr. Alfred J. Freimark	8/29/97	6/30/2001
Mr. John W. McCauley	10/15/97	6/30/2001
Mr. Kermit D. Williamson	8/29/97	6/30/2001

**ECONOMIC DEVELOPMENT COMMISSION,
WESTERN NORTH CAROLINA REGIONAL**

G.S. 158-8.1

Mr. Michael K. Geouge	8/29/97	6/30/2001
Mr. Roger Hill	(Reappointment) 8/29/97	6/30/2001
Mr. Harold Stallcup	(Reappointment) 8/29/97	6/30/2001

EDUCATION COMMISSION OF THE STATES

G.S. 115C-104

Rep. Carolyn B. Russell	2/25/97	1/31/99
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EDUCATION OVERSIGHT COMMITTEE, JOINT LEGISLATIVE

G.S. 120-70.80

Rep. Jean R. Preston, Co-Chair	5/1/97	1/31/99
Rep. Gene G. Arnold	5/1/97	1/31/99
Rep. Donald S. Davis	9/5/97	1/31/99
Rep. W. Robert Grady	(Reappointment) 5/1/97	1/31/99
Rep. William C. Owens, Jr.	(Reappointment) 5/1/97	1/31/99
Rep. R. Eugene Rogers	(Reappointment) 5/1/97	1/31/99
Rep. Carolyn B. Russell	5/1/97	1/31/99
Rep. Fern H. Shubert	5/1/97	1/31/99
Rep. Douglas Y. Yongue	5/1/97	1/31/99

EDUCATION STANDARDS AND ACCOUNTABILITY COMMISSION, NORTH CAROLINA

G.S. 115C-105.2

Rep. Gene G. Arnold

6/23/97

8/1/97

EDUCATIONAL FACILITIES FINANCE AGENCY, NORTH CAROLINA

G.S. 115E-4

Mr. Frank Bullard

8/14/97

3/3/2000

ELECTRIC SERVICE IN NORTH CAROLINA, STUDY COMMISSION ON THE FUTURE OF

Chapter 40, 1997 Session Laws

Rep. Daniel F. McComas, Co-Chair

10/13/97

Final Report
to 1999 G.A.

Rep. Walter G. Church, Sr.

10/13/97

"

Rep. Jerry C. Dockham

10/13/97

"

Rep. W. Edwin McMahan

10/13/97

"

Rep. David M. Miner

10/13/97

"

Rep. W. Franklin Mitchell

10/13/97

"

Mr. C. Terry Callender

10/13/97

"

(Nationwide electric power marketer)

Mr. Henry Knight

10/13/97

"

(Residential consumer of electricity)

Mr. John Toledano

10/13/97

"

(Industrial consumer of electricity)

EMPLOYEE HOSPITAL AND MEDICAL BENEFITS, COMMITTEE ON

G.S. 135-38

Rep. Jerry C. Dockham, Co-Chair

7/10/97

1/14/99

(Reappointment)

Rep. Bobby H. Barbee, Sr.

(Reappointment)

7/10/97

1/14/99

Rep. Theresa H. Esposito

7/10/97

1/14/99

Rep. John W. Hurley

(Reappointment)

7/10/97

1/14/99

Rep. William M. Ives

(Reappointment)

7/10/97

1/14/99

Rep. Daniel F. McComas

7/10/97

1/14/99

ENERGY POLICY COUNCIL

G.S. 113B-3

Rep. Dennis A. Reynolds

(Reappointment)

3/4/97

1/31/99

Rep. Joe P. Tolson

3/4/97

1/31/99

ENVIRONMENTAL MANAGEMENT COMMISSION

G.S. 143B-283

Mr. Douglas S. Boykin	(Reappointment)	8/29/97	6/30/99
Mr. Mark C. Surles		8/29/97	6/30/99

ENVIRONMENTAL REVIEW COMMISSION

G.S. 120-70.42

Rep. Rick L. Eddins, Co-Chair		2/20/97	1/31/99
Rep. Arlie F. Culp		2/20/97	1/31/99
Rep. Dewey L. Hill		2/20/97	1/31/99
Rep. W. Franklin Mitchell		2/20/97	1/31/99
Rep. Cynthia B. Watson		2/20/97	1/31/99
Rep. John H. Weatherly		2/20/97	1/31/99

ETHICS COMMITTEE, LEGISLATIVE

G.S. 120-99

Rep. Julia C. Howard, Co-Chair		2/25/97	1/31/99
Rep. Lyons Gray		2/25/97	1/31/99
Rep. Richard T. Morgan		2/25/97	1/31/99
Rep. Michael S. Wilkins	(Reappointment)	2/25/97	1/31/99
Rep. Thomas E. Wright	(Reappointment)	2/25/97	1/31/99

FAMILY CENTERED SERVICES, ADVISORY COMMITTEE ON

G.S. 143B-150.7

Rep. J. Russell Capps		10/31/97	6/30/99
(Replaced Rep. Cherie Berry)			
Mrs. Valarie E. Hix		8/29/97	6/30/99
(Replaced Mr. Phil Spry)			

**FEE-BASED PRACTICING PASTORAL COUNSELORS,
NORTH CAROLINA STATE BOARD OF EXAMINERS OF**

G.S. 90-385

Reverend Lee S. Dukes, III		9/5/97	9/30/98
Mr. Russell Williams		9/5/97	9/30/98

FIRST FLIGHT CENTENNIAL COMMISSION

G.S. 143-640

Hon. Charles Baker		12/17/97	6/30/99
(Replaced Ms. Turner)			
Mr. Michael W. Haley	(Reappointment)	7/15/97	6/30/99
Dr. Otis Michael		7/15/97	6/30/99
Mr. James Trotter		2/26/97	6/30/98
Ms. Elizabeth M. Turner		7/24/97	6/30/99

FLATROCK BOARD OF TRUSTEES

By-laws of the Vagabond School of Drama, Inc.

Rep. Lanier M. Cansler	(Reappointment)	3/4/97	1/31/99
Rep. William M. Ives	(Reappointment)	3/4/97	1/31/99

FORESTRY ADVISORY COUNCIL

G.S. 143B-309

Mr. Robert Beason	(Registered forester)	12/11/96	6/30/97
	(Reappointment)	7/28/97	6/30/2001
Mr. Billy Holiday		11/27/96	6/30/97
Mr. Chuck McGrady	(Woodland owner)	7/28/97	6/30/2001
Mr. Joe Sizemore		11/20/96	6/30/99
Dr. Bob Thomas		12/11/96	6/30/97
	(Reappointment)	7/28/97	6/30/2001
(Environmental or wildlife conservation)			

**FUTURE STRATEGIES FOR NORTH CAROLINA,
JOINT LEGISLATIVE COMMITTEE ON**

G.S. 120-84.7

Rep. Timothy N. Tallent, Co-Chair		3/4/97	1/25/99
Rep. James C. Carpenter		3/4/97	1/25/99
Rep. Thomas C. Hardaway		3/4/97	1/25/99
Rep. Mia Morris		3/4/97	1/25/99
Rep. William C. Owens, Jr.	(Reappointment)	3/4/97	1/25/99
Rep. Dennis A. Reynolds	(Reappointment)	3/4/97	1/25/99

GENERAL STATUTES COMMISSION

G.S. 164-14

Rep. William T. Culpepper, III	(Reappointment)	6/10/97	5/31/99
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GLOBAL TRANSPARK AUTHORITY, NORTH CAROLINA

G.S. 63A-3

Mr. Louis Pate, Jr.		8/29/97	6/30/2001
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GOVERNMENTAL OPERATIONS, JOINT LEGISLATIVE COMMISSION ON

G.S. 120-74

Rep. Harold J. Brubaker, Co-Chair

Rep. James W. Crawford, Jr. (Reappointment) 10/1/97 1/15/99

Rep. Billy J. Creech (Reappointment) 10/1/97 1/15/99

Rep. N. Leo Daughtry (Reappointment) 10/1/97 1/15/99

Rep. Theresa H. Esposito (Reappointment) 10/1/97 1/15/99

Rep. W. Robert Grady (Reappointment) 10/1/97 1/15/99

Rep. Lyons Gray (Reappointment) 10/1/97 1/15/99

Rep. George M. Holmes (Reappointment) 10/1/97 1/15/99

Rep. Julia C. Howard 12/17/97 1/15/99

(Replaced Rep. Tallent)

Rep. Larry T. Justus (Reappointment) 10/1/97 1/15/99

Rep. Richard T. Morgan (Reappointment) 10/1/97 1/15/99

Rep. Edd Nye 10/29/97 1/15/99

Rep. Liston B. Ramsey (Reappointment) 10/1/97 1/15/99

Rep. Carolyn B. Russell (Reappointment) 10/1/97 1/15/99

Rep. Timothy N. Tallent 10/9/97 1/15/99

Rep. Stephen W. Wood 10/1/97 1/15/99

HEALTH CARE OVERSIGHT COMMITTEE, JOINT LEGISLATIVE

G.S. 120-70.96

Rep. Lanier M. Cansler, Co-Chair 10/30/97 1/14/99

Rep. Joanne W. Bowie 10/30/97 1/14/99

Rep. Debbie Clary 10/30/97 1/14/99

Rep. James W. Crawford, Jr. 10/30/97 1/14/99

Rep. Theresa H. Esposito 10/30/97 1/14/99

Rep. Edd Nye 10/30/97 1/14/99

Rep. Thomas E. Wright 10/30/97 1/14/99

HEALTH PLAN PURCHASING ALLIANCE BOARD OF DIRECTORS, STATE

G.S. 143-625

Ms. Barbara Dickens 8/29/97 6/30/2001

(Employee enrollee)

Mr. Linwood Parker 8/29/97 6/30/2001

(Owner of an alliance)

HEALTH POLICY INFORMATION, COUNCIL ON

Executive Order No. 95

Rep. Theresa H. Esposito

11/20/96

(Replaced Rep. Zeno Edwards)

(Reappointment) 2/13/97

HOLOCAUST, NORTH CAROLINA COUNCIL ON THE

G.S. 143B-216.21

Mrs. Gizella Abramson

(Reappointment)

7/10/97

6/30/99

Ms. Marilyn Davidson

(Reappointment)

7/10/97

6/30/99

Ms. Judy Jacobs

7/28/97

6/30/99

(Replaced Mrs. Abramson)

Mr. Alan Novak

(Reappointment)

7/10/97

6/30/99

Major General Sidney Shachnow, Retired

7/10/97

6/30/99

Ms. Maxine Smith

(Reappointment)

7/10/97

6/30/99

Mrs. Runia Vogelhut

(Reappointment)

7/10/97

6/30/99

HOME AND COMMUNITY CARE, ADVISORY COMMITTEE ON

G.S. 143B-181.9A

Rep. Charlotte A. Gardner

(Reappointment)

3/4/97

1/15/99

**HOSPITAL, MEDICAL AND DENTAL SERVICE CORPORATION
CHARTER CONVERSION STUDY COMMISSION**

Senate Bill, Part XI, Section 11.1(a)

Rep. N. Leo Daughtry, Co-Chair

11/5/97

Convening of
1998 G.A.

Rep. Jerry C. Dockham

11/5/97

"

Rep. Lyons Gray

11/5/97

"

Rep. John W. Hurley

11/5/97

"

Dr. Carolyn R. Ferree

11/5/97

"

Mr. William S. Patterson

11/5/97

"

HOUSING FINANCE AGENCY, NORTH CAROLINA

G.S. 122A-4

Mr. Donald B. Barnes

(Reappointment)

8/29/97

6/30/99

(At-large)

Mr. Harris D. Blake

8/29/97

6/30/99

(Licensed real estate broker)

Mr. John R. Georgius, Jr.

8/29/97

6/30/99

(Mortgage-servicing)

Mr. James W. Oglesby

(Reappointment)

8/29/97

6/30/99

(At-large)

HOUSING PARTNERSHIP, NORTH CAROLINA

G.S. 122E-4

Ms. Lillie M. Brown (Resident)	9/17/97	6/30/2000
Mr. Brian D. Coyle (Real estate lending)	8/29/97	6/30/2000
Mr. Scott Dedmon (Non-profit housing development corporation)	8/29/97	6/30/2000
Mr. E. G. Fowler (At-large)	8/29/97	6/30/2000
Ms. Janet T. Pueschel (At-large)	8/29/97	6/30/2000

HUMAN RELATIONS COMMISSION, NORTH CAROLINA

G.S. 143B-392

Dr. Jimmie V. Morris (Replaced Mr. Alphonso Pearson)	7/28/97	6/30/98
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INAUGURAL CEREMONIES COMMITTEE

G.S. 143-527

Rep. Debbie A. Clary	11/20/96	Completion of inauguration
Rep. Theresa H. Esposito	11/20/96	"
Rep. Mary E. McAllister	11/20/96	"
Rep. Gregory J. Thompson	11/20/96	"

INDIAN EDUCATION, STATE ADVISORY COUNCIL ON

G.S. 115C-210.1

Rep. Ronnie N. Sutton (Reappointment)	3/4/97	1/31/99
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INFORMATION RESOURCE MANAGEMENT COMMISSION

G.S. 143B-426.21(a)

Mr. Richard Holcomb (Replaced Mr. Keith Clark)	9/10/97	6/30/99
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INTERNSHIP COUNCIL, NORTH CAROLINA

G.S. 143B-418

Mr. Ronald L. Kiziah (Reappointment)	7/10/97	6/30/99
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JOB TRAINING STUDY COMMISSION

Senate Bill 352, Section 16.1(c)

Rep. Edgar V. Starnes, Co-Chair	11/12/97	Final Report to 1998 G.A.
Rep. Cherie K. Berry	11/12/97	"
Rep. Charlotte A. Gardner	11/12/97	"
Rep. Julia C. Howard	11/12/97	"
Rep. Fern H. Shubert	11/12/97	"
Rep. Alex Warner	11/12/97	"

**JUDICIAL RESOURCES, COMMISSION ON THE
ALLOCATION OF**

S.B. 352, Section 18.18(a)

Rep. Gregory J. Thompson, Co-Chair	12/17/97	Final Report to 1999 G.A.
Rep. Larry T. Justus	12/17/97	"
Rep. Joe L. Kiser	12/17/97	"
Rep. Paul R. McCrary	12/17/97	"
Ms. Martha H. Curran (Clerk of Court position)	12/17/97	"
Hon. William M. Neely (District Court Judge position)	12/17/97	"
Hon. James Vosburgh (Superior Court Judge position)	12/17/97	"

LEGISLATIVE RESEARCH COMMISSION

G.S. 120-30.10

Rep. Michael P. Decker	10/1/97	1/15/99
Rep. Jerry C. Dockham (Reappointment)	10/1/97	1/15/99
Rep. Beverly Earle	10/1/97	1/15/99
Rep. W. Eugene McCombs	10/1/97	1/15/99
Rep. Gregory J. Thompson (Reappointment)	10/1/97	1/15/99

LEGISLATIVE SERVICES COMMISSION

G.S. 120-31

Rep. Harold J. Brubaker, Co-Chair		
Rep. Gene G. Arnold (Reappointment)	12/11/97	1/31/99
Rep. Flossie Boyd-McIntyre	12/11/97	1/31/99
Rep. C. Robert Brawley (Reappointment)	12/11/97	1/31/99
Rep. James W. Crawford, Jr.	12/11/97	1/31/99
Rep. Lyons Gray (Reappointment)	12/11/97	1/31/99
Rep. Wilma Sherrill	12/11/97	1/31/99

LICENSING BOARDS, LEGISLATIVE COMMITTEE ON NEW

G.S. 120-149.6

Rep. W. Franklin Mitchell, Chair	2/20/97	1/31/99
Rep. W. Eugene McCombs	2/20/97	1/31/99
Rep. Wilma M. Sherrill	2/20/97	1/31/99
Rep. W. Eugene Wilson	2/20/97	1/31/99
Rep. Douglas Y. Yongue	2/20/97	1/31/99

LOCAL GOVERNMENT ADVOCACY COUNCIL

G.S. 143-506.14

Rep. James C. Carpenter	(Reappointment) 5/21/97	1/15/99
Rep. Michael P. Decker	5/21/97	1/15/99

LOCAL GOVERNMENT COMMISSION

G.S. 159-3

Ms. Sandra Kay Trivett	8/29/97	6/30/2001
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LOCAL GOVERNMENT PARTNERSHIP COUNCIL

Executive Order No. 21

Rep. James C. Carpenter	(Reappointment) 2/27/97	1/31/99
Rep. Jim Gulley	2/27/97	1/31/99

**LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT
AUTHORITY, NORTH CAROLINA**

G.S. 104G-5

Mr. John Hairr	8/29/97	6/30/2001
Mr. James E. Reddish	8/29/97	6/30/2001
Mr. Doug Story	8/29/97	6/30/2001

MANUFACTURED HOUSING BOARD, NORTH CAROLINA

G.S. 143-143.10

Mr. Bob Doepke	10/1/97	9/30/2000
(Insurance representative)		
Mr. Don Fuquay	10/1/97	9/30/2000
(Finance representative)		

**MENTAL HEALTH, DEVELOPMENTAL DISABILITIES
AND SUBSTANCE ABUSE SERVICES, COMMISSION FOR**

G.S. 143B-148

Ms. Theresa Nunn	(Reappointment) 8/29/97	6/30/99
Ms. Laura J. Thomas	(Reappointment) 8/29/97	6/30/99

MENTAL HEALTH STUDY COMMISSION

G.S. 120-204

Rep. Charlotte A. Gardner, Co-Chair	11/20/96	6/30/98
Rep. Martha B. Alexander	11/20/96	6/30/98
Rep. Cherie K. Berry	11/20/96	6/30/98
Rep. James W. Crawford, Jr.	11/20/96	6/30/98
Rep. Julia C. Howard	11/20/96	6/30/98
Rep. Cynthia B. Watson	11/20/96	6/30/98
Rep. W. Eugene Wilson	11/20/96	6/30/98
Hon. David Stewart	12/18/96	6/30/98
Ms. Lou B. Wilson (Reappointment)	12/18/96	6/30/98

MINORITY HEALTH ADVISORY COMMITTEE

G.S. 130A-33.44

Rep. Thomas C. Hardaway	8/21/97	6/30/98
(Replaced Rep. Frances Cummings)		

MUNICIPAL INCORPORATIONS, JOINT LEGISLATIVE COMMISSION ON

G.S. 120-158

Rep. Cary D. Allred	9/5/97	6/30/99
Rep. J. Sam Ellis	2/20/97	6/30/97
(Replaced Rep. Louis Pate)		
(Reappointment)	9/5/97	6/30/99
Hon. Clayton Loflin (Reappointment)	9/5/97	6/30/99

NATURAL HERITAGE TRUST FUND BOARD OF TRUSTEES

G.S. 113-77.8

Mr. Thomas W. Reese	1/1/98	12/31/2004
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NURSING BOARD OF DIRECTORS, NORTH CAROLINA CENTER FOR

G.S. 90-171.71

Ms. Sherry Thomas	8/29/97	6/30/2000
(Registered nurse)		

NURSING SCHOLARS COMMISSION, NORTH CAROLINA

G.S. 90-171.60

Ms. Deana Burrow	8/29/97	6/30/2001
Ms. Frances Tutterow	8/29/97	6/30/2001
Mrs. Donna White	7/24/95	6/30/99

PETROLEUM UNDERGROUND STORAGE TANK FUNDS COUNCIL, NORTH CAROLINA

G.S. 143-215.94A

Mr. Richard Catlin	(Reappointment)	8/29/97	6/30/99
(Owner noncommercial underground storage tank)			
Mr. David Clary		8/29/97	6/30/99
(Remediation of groundwater contamination)			
Mr. George R. Luckadoo	(Reappointment)	8/29/97	6/30/99
(Environmental advocacy organization)			
Mr. Steve Williams	(Reappointment)	8/29/97	6/30/99
(Convenience store owner)			
Mr. Lloyd Williams, Jr.		8/29/97	6/30/99
(Motor fuel service station dealer)			

PHYSICAL FITNESS AND HEALTH, GOVERNOR'S COUNCIL ON

G.S. 143B-216.9

Rep. P. Wayne Sexton, Sr.	(Reappointment)	7/9/97	6/30/99
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PORTS AUTHORITY, NORTH CAROLINA STATE

G.S. 143B-452

Mrs. Estell C. Lee		8/29/97	6/30/99
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POSTAL HISTORY COMMISSION, NORTH CAROLINA

G.S. 143-675

Rep. Michael P. Decker		11/11/97	6/30/2000
Mr. Joe Clark		11/11/97	6/30/2000
Mr. Brian Green		11/11/97	6/30/2000
Mr. Tom Richardson		11/11/97	6/30/2000

PRIVATE PROTECTIVE SERVICES BOARD

G.S. 74C-4

Mr. Tim McIntyre		8/29/97	6/30/2000
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PROFESSIONAL TEACHING STANDARDS COMMISSION, NORTH CAROLINA

G.S. 115C-295.1

Ms. Cynthia Barnes		3/12/97	9/1/98
Ms. Joan F. Celestino		3/12/97	9/1/98
Ms. Jennifer B. Freund		3/12/97	9/1/98
Mrs. Dawn Swigar		3/12/97	9/1/98

PROGRESS BOARD, NORTH CAROLINA

G.S. 120-158

Mr. James Chesnutt 7/15/97 6/30/99

Mr. Dan Dawson (Reappointment) 7/15/97 6/30/2001

PROPERTY TAX COMMISSION

G.S. 105-288

Mr. John M. Tyson 8/29/97 6/30/99

PUBLIC ASSISTANCE COMMISSION, JOINT LEGISLATIVE

G.S. 153A-255, Chapter 443, 1997 Session Laws

Rep. Cherie K. Berry, Co-Chair 9/5/97 Convening of
1999 G.A.

Rep. Julia C. Howard, Co-Chair 9/5/97 "

Rep. Lanier M. Cansler 9/5/97 "

Rep. Debbie A. Clary 9/5/97 "

Rep. Theresa H. Esposito 9/5/97 "

Rep. Charlotte A. Gardner 9/5/97 "

Rep. Lyons Gray 9/5/97 "

Rep. Dewey L. Hill 9/5/97 "

Rep. John M. Nichols 9/5/97 "

Rep. William L. Wainwright 9/5/97 "

PUBLIC EMPLOYEE DEFERRED COMPENSATION PLAN**BOARD OF TRUSTEES, NORTH CAROLINA**

G.S. 143B-426

Mr. Steven D. Beam 9/6/97 6/30/99

PUBLIC HEALTH STUDY COMMISSION

G.S. 120-195

Rep. Theresa H. Esposito, Co-Chair 11/20/96 6/30/98

Rep. Marvin W. Aldridge (Reappointment) 11/20/96 6/30/98

Rep. John R. Gamble, Jr. (Reappointment) 11/20/96 6/30/98

Rep. W. Eugene McCombs (Reappointment) 11/20/96 6/30/98

Rep. John M. Nichols (Reappointment) 11/20/96 6/30/98

Mr. Ralph Burroughs 7/28/97 6/30/99

Ms. Susan Neely (Reappointment) 12/4/97 6/30/99

Mr. Robert Parker (Reappointment) 12/4/97 6/30/99

PUBLIC SCHOOL FORUM OF NORTH CAROLINA BOARD OF DIRECTORS

Bylaws

Rep. Walter W. Dickson	(Reappointment)	2/18/97	1/1/99
Rep. Jean R. Preston	(Reappointment)	2/18/97	1/1/99
Rep. Carolyn B. Russell		2/18/97	1/1/99
Rep. Fern H. Shubert	(Reappointment)	2/18/97	1/1/99

PUBLIC SCHOOLS, LEGISLATIVE STUDY COMMISSION ON

Senate Bill 32, Part VII, Section 7.1

Rep. Gene G. Arnold, Co-Chair	10/30/97	Convening of 1999 G.A.
Rep. W. Robert Grady	10/30/97	"
Rep. Jim Gulley	10/30/97	"
Rep. Richard L. Moore	10/30/97	"
Rep. Warren C. Oldham	10/30/97	"
Rep. Jean R. Preston	10/30/97	"
Rep. Carolyn B. Russell	10/30/97	"
Rep. Fern H. Shubert	10/30/97	"

PUBLIC TELECOMMUNICATIONS BOARD OF DIRECTORS, NORTH CAROLINA AGENCY FOR

G.S. 143B-426.9

Mr. D. K. McLaughlin	(Reappointment)	8/29/97	6/30/99
Ms. Marilyn E. Nason		8/29/97	6/30/99

RAIL COUNCIL, NORTH CAROLINA

G.S. 143B-362

Rep. Arlie F. Culp	7/10/97	6/30/99
Rep. W. Eugene McCombs	7/10/97	6/30/99

REVENUE LAWS STUDY COMMISSION

G.S. 120-70.105

Rep. Lyons Gray, Co-Chair	11/20/97	1/15/99
Rep. Robert Brawley	11/20/97	1/15/99
Rep. Lanier M. Cansler	11/20/97	1/15/99
Rep. J. Russell Capps	11/20/97	1/15/99
Rep. Dewey L. Hill	11/20/97	1/15/99
Rep. Charles B. Neely, Jr.	11/20/97	1/15/99
Rep. Liston B. Ramsey	11/20/97	1/15/99
Rep. Constance K. Wilson	11/20/97	1/15/99

ROANOKE ISLAND COMMISSION

G.S. 143B-131.1

Ms. Cindy Douglas	9/5/97	10/1/99
Dr. Wallace W. Harvey, Jr.	9/5/97	10/1/99
Ms. Linda Sharp	9/5/97	10/1/99

RULES REVIEW COMMISSION

G.S. 143B-30.1

Mr. Mark Garside	8/29/97	6/30/99
Mr. Steve Rader	8/29/97	6/30/99
Mr. George Robinson	8/29/97	6/30/99

SCHOOL TECHNOLOGY, COMMISSION ON

G.S. 115C-102.5

Rep. Dennis A. Reynolds	8/29/97	6/30/99
Rep. Fern H. Shubert	8/29/97	6/30/99
Ms. Joyce J. Cotten	8/29/97	6/30/99
Mr. John Healy	9/10/97	6/30/99
Ms. Betsy Justus	(Reappointment) 8/29/97	6/30/99
Ms. Judy Kennedy	(Reappointment) 8/29/97	6/30/99

**SCIENCE AND MATHEMATICS BOARD OF TRUSTEES,
NORTH CAROLINA SCHOOL OF**

G.S. 116-233

Mr. Edward H. Browning	8/29/97	6/30/99
Mr. Michael Egues	8/29/97	6/30/99

**SCIENCE AND TECHNOLOGY,
NORTH CAROLINA BOARD OF**

G.S. 143B-426.31

Mr. Robert Annechiarico	(Reappointment) 8/29/97	6/30/99
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**SEAFOOD AND AQUACULTURE, JOINT LEGISLATIVE
COMMISSION ON**

G.S. 120-70.61

Rep. Jean R. Preston,	(Reappointment) 4/29/97	1/31/99
Co-Chair		
Rep. W. Robert Grady	(Reappointment) 4/29/97	1/31/99
Rep. Edwin M. Hardy	4/29/97	1/31/99
Rep. Daniel F. McComas	4/29/97	1/31/99

SEAFOOD INDUSTRIAL AUTHORITY, NORTH CAROLINA

G.S. 113-315.25

Mr. Willie R. Ethridge, III	9/1/97	6/30/99
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SENTENCING AND POLICY ADVISORY COMMISSION, NORTH CAROLINA

G.S. 164-37

Rep. Joanne W. Bowie	(Reappointment)	10/1/97	6/30/99
Rep. Larry T. Justus	(Reappointment)	10/1/97	6/30/99
Rep. Joe L. Kiser	(Reappointment)	10/1/97	6/30/99

SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION, NORTH CAROLINA

G.S. 17E-3

Hon. Litchard Hurley	(Reappointment)	8/29/97	9/1/99
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SOUTHERN GROWTH POLICIES BOARD

G.S. 143-492

Rep. W. Edwin McMahan	(Reappointment)	3/4/97	1/31/99
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SOUTHERN STATES ENERGY BOARD

G.S. 104D-1

Rep. Walter W. Dickson		3/4/97	1/31/99
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STANDARDS AND ACCOUNTABILITY, COMMITTEE ON

Senate Bill 352, Section 8.27(c)

Mr. Mark S. Jones		11/12/97	6/30/2001
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Ms. Lindalyn Kakadelis		11/12/97	6/30/2001
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STATE BAR, DISCIPLINARY HEARING COMMISSION OF THE NORTH CAROLINA

G.S. 84-28.1

Ms. Katherine Sefcik		7/1/97	6/30/2000
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STATE PURCHASING ALLIANCE BOARD OF DIRECTORS

G.S. 143-625 and 120-122

Mrs. Peggy Anne Vaughan		10/25/95	6/30/99
(At-large)			

SUBSTANCE ABUSE ADVISORY COUNCIL

G.S. 143B-270

Reverend Roby Linebarger		2/12/97	9/30/99
(Replaced Rep. Brad Ligon)			

Ms. Arlene Pulley		7/8/97	9/30/99
(Replaced Ms. Anne Goodheart)			
(At-large)			

SUBSTANCE ABUSE PROFESSIONAL CERTIFICATION BOARD, NORTH CAROLINA

G.S. 90-113.32

Mr. David Turpin (Reappointment) 8/29/97 6/30/2000

TEACHER ACADEMY BOARD OF TRUSTEES, NORTH CAROLINA

S. L. 1995-324

Ms. Judy Corso (Reappointment) 8/29/97 6/30/2001
(Public school teacher grades 3-5)Ms. Claudia Hadley 8/29/97 6/30/2001
(Public school teacher grades 9-12)Ms. Gayle Mitchell (Reappointment) 8/29/97 6/30/2001
(Public school teacher grades 6-8)Ms. Bea Oettinger (Reappointment) 8/29/97 6/30/2001
(Public school teacher grades K-2)

TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN, BOARD OF TRUSTEES OF THE

G.S. 135-39

Mr. Herb Council 8/29/97 6/30/99

Mr. C. V. Parks (Reappointment) 8/29/97 6/30/99

TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, BOARD OF TRUSTEES OF THE

G.S. 135-6

Mr. Edward S. Goode (Reappointment) 8/29/97 6/30/99

TEACHING BOARD OF TRUSTEES, NORTH CAROLINA CENTER FOR THE ADVANCEMENT OF

G.S. 116-74.7

Ms. Cheree Loflin 8/29/97 6/30/2001

Mr. Jerry Tillman 8/29/97 6/30/2001

TEACHING FELLOWS COMMISSION, NORTH CAROLINA

G.S. 115C-363.23

Mr. James R. Baten 8/29/97 6/30/2001

TRANSPORTATION, NORTH CAROLINA STATE BOARD

G.S. 143B-350

Mr. Jack Poole 8/29/97 6/30/99

Mr. Chip Shelton 8/29/97 6/30/99

TRANSPORTATION OVERSIGHT COMMITTEE, JOINT LEGISLATIVE

G.S. 120-70.50

Rep. Joanne W. Bowie, Co-Chair	2/26/97	1/14/99
Rep. Charles M. Buchanan	2/26/97	1/14/99
Rep. Walter G. Church, Sr.	2/26/97	1/14/99
Rep. James W. Crawford, Jr. (Reappointment)	2/26/97	1/14/99
Rep. Jerry C. Dockham (Replaced Rep. Holmes)	12/1/97	1/14/99
Rep. Dewey L. Hill	2/26/97	1/14/99
Rep. George M. Holmes (Reappointment)	2/26/97	1/14/99
Rep. W. Edwin McMahan (Reappointment)	2/26/97	1/14/99
Rep. P. Wayne Sexton, Sr.	2/26/97	1/14/99

TRAVEL AND TOURISM BOARD, NORTH CAROLINA

G.S. 143B-434.1

Rep. William M. Ives (Reappointment)	8/29/97	12/31/98
Rep. Edgar V. Starnes	8/29/97	12/31/98
Mr. Kelly Miller (Reappointment)	8/29/97	12/31/98
Mr. Steve Miller	8/29/97	12/31/98
Mr. Chris Valauri	8/29/97	12/31/98

UNIVERSITY OF NORTH CAROLINA CENTER FOR PUBLIC TELEVISION BOARD OF TRUSTEES

G.S. 116-37.1

Ms. Joan Danieleley (Reappointment)	8/29/97	6/30/99
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UTILITY REVIEW COMMITTEE, JOINT LEGISLATIVE

G.S. 120-70.2

Rep. W. W. Dickson, (Reappointment) Co-Chair	2/26/97	1/31/99
Rep. Daniel F. McComas (Reappointment)	2/26/97	1/31/99
Rep. Richard T. Morgan (Reappointment)	2/26/97	1/31/99
Rep. Dennis A. Reynolds (Reappointment)	2/26/97	1/31/99
Rep. Timothy N. Tallent (Reappointment)	2/26/97	1/31/99

VOCATIONAL REHABILITATION ADVISORY COUNCIL

G.S. 143-548

Mr. Michael Britt (Reappointment) (Parent training and information center)	8/21/97	6/30/2000
Mr. Mark E. Hammack (Reappointment) (Business and industry sector)	8/21/97	6/30/2000

WELL CONTRACTORS CERTIFICATION COMMISSION

G.S. 143B-301.12

Mr. Thomas Ammons, Jr. 12/2/97 6/30/2001

(Resident of county east of Interstate 95)

Mr. Peter Beebe 12/2/97 6/30/2000

(Employee of local county health department)

Mr. Elmer Newman 12/2/97 6/30/2001

(Resident of county west of Interstate 95)

WILDLIFE RESOURCES COMMISSION

G.S. 143-241

Mr. John Coley, IV 8/29/97 4/25/99

Mr. Joseph A. Long 8/29/97 4/25/99

NORTH CAROLINA HOUSE OF REPRESENTATIVES**Office of the Speaker**

TO THE HONORABLE MEMBERS OF THE NORTH CAROLINA
HOUSE OF REPRESENTATIVES

Section 1. Pursuant to the authority vested in me by Resolution 1 of the North Carolina House of Representatives, Session 1997, Section V, Rule 26(a), and Article 5(A), Section 120-19.1 et seq., of the North Carolina General Statutes, I do hereby establish:

**THE SELECT COMMITTEE FOR FEDERAL
EDUCATION GRANTS**

The following members of the North Carolina House of Representatives are appointed as members of this Select Committee:

Representative Donald S. Davis - Chair

Representative Russell Capps

Representative Sandy Hardy

Representative Dewey Hill

Representative Julia Howard

Representative Fern Shubert

Representative Edgar Starnes

Representative Larry Womble

Representative Doug Yongue

Section 2. It shall be the duty of this Select Committee to examine witnesses, documents and any other information as it may deem necessary to conduct a comprehensive review of all federal grant programs related to K-12 education awarded through the State Board of Education, the Department of Public Instruction, the Office of the State Superintendent, the Office of the Governor, or any other State agency. The comprehensive review shall include, but not be limited to:

- (a) A specific analysis of federal funds appropriated for all federal K-12 grant programs, program descriptions, State and local matching funds related to federal grants, maintenance of effort requirements, and the impact of match requirements on the State budget.
- (b) An examination of potential State and local duplication of federal programs including cost analysis.
- (c) A specific analysis of contracts awarded with federal grant funds or contracts related to federal grant programs using State funds.
- (d) Identification of the number of positions and salaries related to the grants including the amount of manpower used to administer federal grants at the state level.
- (e) A review of the grant process including criteria, application review, grant awarding, and grant monitoring.
- (f) An examination of the legal issues surrounding federal grants to K-12 education including constitutional issues and the authority of the General Assembly in relationship to federal grants to K-12 education.

- (g) Identification of conflicts between federal grants and State statutory provisions.

Section 3. The Select Committee shall submit an interim report to the 1997 Second Session and a final report of its findings and recommendations to the 1999 Regular Session of the General Assembly by filing a final report of its findings and recommendations with the Speaker of the House of Representatives on or before December 31, 1998. The final report shall contain the findings, recommendations, and any legislative proposals of the Select Committee.

Section 4. The Select Committee is hereby vested with all of the authority set out in Article 5A of Chapter 120 of the General Statutes including, but not limited to, the authority to administer oaths, examine under oath, the issuance of subpoenas pursuant to N.C.G.S. 120-19.2(c), and to request data and information pursuant to N.C.G.S. 120-19.

Section 5. If requested by a witness or by a majority of the Select Committee, the Committee may meet in closed session solely for the purposes set out in N.C.G.S. 143-318.11 (a) (1) (3) (6) and (7).

Section 6. The Select Committee is authorized to meet during sessions of the General Assembly, during recesses, and in the interim periods between sessions, upon the call of its chair.

Section 7. Members of the Select Committee shall receive per diem, subsistence and travel allowance at the rate established in N.C.G.S. 120-3.1.

Section 8. The expenses of the Select Committee including per diem, subsistence, travel allowances, and contracts for professional or consultant services shall be paid upon the written approval of the Speaker pursuant to N.C.G.S. 120-32.02(c) and 120-35 from funds available to the House of Representatives for its operations.

Section 9. The members of this Select Committee serve at the pleasure of the Speaker of the House who may dissolve the Select Committee at any time before 31 December 1998, at which time this Select Committee shall dissolve.

Effective this the 4th day of September 1997.

S/ Harold J. Brubaker
Speaker of the North Carolina
House of Representatives

Attest:

S/ Denise Weeks
Principal Clerk

NORTH CAROLINA HOUSE OF REPRESENTATIVES

Office of the Speaker

**TO THE HONORABLE MEMBERS OF THE NORTH CAROLINA
HOUSE OF REPRESENTATIVES**

Section 1. Pursuant to the authority vested in me by Resolution 1 of the North Carolina House of Representatives, Session 1997, Section V, Rule 26(a), and Article 5A, §120-19.1 *et seq.*, of the North Carolina General Statutes, I do hereby establish:

THE SELECT COMMITTEE ON RURAL INFRASTRUCTURE DEVELOPMENT

The following members of the North Carolina House of Representatives are appointed as members of this Select Committee:

Representative James C. Carpenter - Chair
Representative Carolyn B. Russell - Vice Chair
Representative Charles M. Buchanan

Representative Robert C. Hunter
Representative Howard Hunter
Representative Bill Owens
Representative Donald Allen Bonner
Representative Rex Baker
Representative Cindy Watson
Representative Gene Wilson*

- Section 2. It shall be the duty of this Select Committee to identify the infrastructure needs of rural North Carolina. Special emphasis shall be placed on the need for water, wastewater and natural gas infrastructure. The committee may also study how the lack of basic infrastructure in rural areas impacts industry recruitment and existing business expansion.
- Section 3. The Select Committee shall submit an interim report to the 1998 Regular Session of the 1997 General Assembly no later than May 1, 1998, and a final report of its findings and recommendations to the 1999 Regular Session of the General Assembly no later than December 31, 1998. The reports shall be submitted by filing them with the Speaker of the House of Representatives. The final report shall contain the findings, recommendations, and any legislative proposals of the Select Investigative Committee.
- Section 4. The Select Committee is hereby vested with all of the authority set out in Article 5A of Chapter 120 of the General Statutes including, but not limited to, the authority to administer oaths, examine under oath, issue subpoenas pursuant to N.C.G.S. 120-19.2(c), and request data and information pursuant to N.C.G.S. 120-19.
- Section 5. If requested by a witness or by a majority of the Select Committee, the Committee may meet in closed session solely for the purposes set out in N.C.G.S. 143-318.11(a)(1), (3), (6), and (7).
- Section 6. The Select Committee is authorized to meet during sessions of the General Assembly, during recesses,

and in the interim periods between sessions, upon the call of its chair.

Section 7. Members of the Select Committee shall receive per diem, subsistence and travel allowance at the rate established in 120-3.1.

Section 8. The expenses of the Select Committee, including per diem, subsistence, travel allowances, and contracts for professional or consultant services shall be paid upon the written approval of the Speaker pursuant to N.C.G.S. 120-32.02(c) and 120-35 from funds available to the House of Representatives for its operations.

Section 9. The members of this Select Committee serve at the pleasure of the Speaker of the House who may dissolve the Committee at any time before January 1, 1999, at which time this Select Investigative Committee shall dissolve.

Effective this 18th day of December, 1997.

S/ Harold J. Brubaker
Speaker of the North Carolina
House of Representatives

Attest:

S/ Denise Weeks
Principal Clerk

*Representative Gene Wilson was appointed December 31, 1997.

NORTH CAROLINA HOUSE OF REPRESENTATIVES

Office of the Speaker

TO THE HONORABLE MEMBERS OF THE NORTH CAROLINA
HOUSE OF REPRESENTATIVES

Section 1. Pursuant to the authority vested in me by Resolution 1 of the North Carolina House of Representatives, Session 1997, Section V, Rule 26(a), and Article 5A, §120-19.1 *et seq.*, of the North Carolina General Statutes, I do hereby establish:

**THE SELECT COMMITTEE ON LIVING WILLS
AND ORGAN DONORS**

The following members of the North Carolina House of Representatives are appointed as members of this Select Committee:

Representative Stan Fox - Chair
Representative Martha Alexander
Representative John Gamble
Representative Joe P. Tolson
Representative Joanne W. Bowie
Representative William S. Hiatt
Representative Arlie F. Culp
Representative Martin L. Nesbitt, Jr.

Section 2. It shall be the duty of this Select Committee to study the feasibility of establishing a statewide registry of persons who have executed documents pertaining to declarations of a desire for a natural death, commonly referred to as "living wills", and pertaining to human organ donation. The committee shall ensure recommendations are consistent with existing law, including living wills, health care powers of attorneys, and durable powers of attorney.

Section 3. The Select Committee shall submit its report to the Study Commission on Aging prior to the convening of the 1998 Regular Session of the 1997 General Assembly. The report shall contain the findings, recommendations, and any legislative proposals of the Select Committee.

Section 4. The Select Committee is hereby vested with all of the authority set out in Article 5A of Chapter 120 of the General Statutes including, but not limited to, the authority to administer oaths, examine under oath, issue subpoenas pursuant to N.C.G.S. 120-19.2(c),

and request data and information pursuant to N.C.G.S. 120-19.

Section 5. If requested by a witness or by a majority of the Select Committee, the Committee may meet in closed session solely for the purposes set out in N.C.G.S. 143-318.11(a)(1), (3), (6), and (7).

Section 6. The Select Committee is authorized to meet during sessions of the General Assembly, during recesses, and in the interim periods between sessions, upon the call of its chair.

Section 7. Members of the Select Committee shall receive per diem, subsistence and travel allowance at the rate established in 120-3.1.

Section 8. The expenses of the Select Committee, including per diem, subsistence, travel allowances, and contracts for professional or consultant services shall be paid upon the written approval of the Speaker pursuant to N.C.G.S. 120-32.02(c) and 120-35 from funds available to the House of Representatives for its operations.

Section 9. The members of this Select Committee serve at the pleasure of the Speaker of the House who may dissolve the Committee at any time before May 15, 1998, at which time this Select Committee shall dissolve.

Effective this 22nd day of December, 1997.

S/ Harold J. Brubaker
Speaker of the North Carolina
House of Representatives

Attest:

S/ Denise Weeks
Principal Clerk

LEGISLATIVE RESEARCH COMMISSION STUDIES**(Appointments through December 31, 1997)****Appointments by Speaker****Appointments by Senate
President Pro Tempore****Legislative Research Commission**Speaker Harold J. Brubaker,
Co-ChairPresident Pro Tempore Marc Basnight,
Co-Chair

Rep. Michael P. Decker

Sen. Austin M. Allran

Rep. Jerry C. Dockham

Sen. Frank W. Ballance, Jr.

Rep. Beverly Earle

Sen. Jeanne H. Lucas

Rep. W. Eugene McCombs

Sen. Robert L. Martin

Rep. Gregory J. Thompson

Sen. Ed N. Warren

**BUSINESS DEVELOPMENT, COMMERCE,
AND TRANSPORTATION GROUPING**

LRC Member: Rep. W. Eugene McCombs

Business DevelopmentRep. Fern H. Shubert,
Co-ChairSen. David W. Hoyle,
Co-Chair

Rep. C. Robert Brawley

Sen. Luther H. Jordan, Jr.

Rep. Lanier M. Cansler

Sen. Robert L. Martin

Rep. Rick L. Eddins

Sen. James Mark McDaniel

Rep. Stanley H. Fox

Sen. Beverly M. Perdue

Rep. Howard J. Hunter, Jr.

Sen. Eric M. Reeves

Rep. Mia Morris

Mr. Mark Bernstein

Rep. William C. Owens, Jr.

Mr. John Ciannamea

Rep. P. Wayne Sexton, Sr.

Mr. Scott Daugherty

Rep. Joe P. Tolson

Mr. Johnny K. Long

Public TransitRep. Constance K. Wilson,
Co-ChairSen. Wib Gulley,
Co-Chair

Rep. Martha B. Alexander

Sen. Charlie S. Dannelly

Rep. Charles F. Buchanan

Sen. Fletcher L. Hartsell, Jr.

Rep. John W. Hurley

Sen. David W. Hoyle

Rep. W. Edwin McMahan

Sen. Eric M. Reeves

Rep. David M. Miner

Ms. Christie Barbee

Rep. Liston B. Ramsey

Mr. Jim Ritchey

Hon. Robert S. Northington, Jr.

Ms. Rosemary Waldorf

CIVIL AND CRIMINAL LAW GROUPING

LRC Member: Rep. Gregory J. Thompson

Consumer Protection

Rep. John H. Weatherly, Co-Chair	Sen. Luther H. Jordan, Jr., Co-Chair
Rep. Donald A. Bonner	Mr. Young Allen
Rep. W. Pete Cunningham	Mr. John R. Archambault
Rep. Julia C. Howard	Ms. Dorothy Bernholz
Rep. Mia Morris	Ms. Ruth Cook
Rep. Larry W. Womble	Mr. Donald J. Sheehy

Domestic Violence

Rep. Mia Morris, Co-Chair	Sen. Allen H. Wellons, Co-Chair
Rep. Martha B. Alexander	Sen. Charlie S. Dannelly
Rep. Joanne W. Bowie	Sen. Jesse I. Ledbetter
Rep. Verla C. Insko	Sen. Eric M. Reeves
Rep. Richard L. Moore	Ms. Cathy Barrett
Rep. P. Wayne Sexton, Sr.	Dr. Ira Hutchinson
Rep. Wilma M. Sherrill	Ms. Karen Luciano
Rep. William L. Wainwright	Mr. Tom Ray
Ms. Catherine Reid	Ms. Yvette Regina Sayles

Lien Law Issues

Rep. Bobby Ray Hall, Co-Chair	Sen. Fletcher L. Hartsell, Jr., Co-Chair
Rep. Charles F. Buchanan	Sen. John M. Blust
Rep. Andrew T. Dedmon	Sen. Brad Miller
Rep. G. Wayne Goodwin	Mr. Garth Dunklin
Rep. Edwin M. Hardy	Mr. Steven I. Reinhard

Medical Malpractice

Rep. Charles B. Neely, Jr.,	Sen. Leslie Winner,
Co-Chair	Co-Chair
Rep. Donald A. Bonner	Sen. Frank W. Ballance, Jr.
Rep. Stanley H. Fox	Sen. James Forrester
Rep. Lyons Gray	Sen. Fletcher L. Hartsell, Jr.
Rep. Richard T. Morgan	Sen. Brad Miller
Rep. Mia Morris	Sen. William R. Purcell
Rep. Carolyn B. Russell	Sen. Eric M. Reeves
Dr. Stephen Herring	Ms. Elizabeth Kuniholm
Dr. William M. Johnstone, Jr.	Dr. Art McCulloch
Dr. Thomas H. McCoy	Mr. Paul Pulley
Mr. Samuel G. Thompson	Mr. Adam Stein

COASTAL BEACH ISSUES AND ENVIRONMENTAL GROUPING

LRC Member: Senator Austin M. Allran

Coastal Beach Movement Issues

Rep. Cynthia B. Watson,	Mr. Ray Sturza,
Co-Chair	Co-Chair
Rep. Jim Gulley	Sen. Patrick J. Ballantine
Rep. Daniel F. McComas	Sen. Luther H. Jordan, Jr.
Rep. Jane H. Mosley	Mr. Ed Booker (Replaced Sen. Jordan)
Rep. William C. Owens, Jr.	Mr. Wade Horne
Rep. Jean R. Preston	Mr. James W. Piner
Rep. John M. Rayfield	Mrs. Llewellyn Fike Ramsey
Rep. E. David Redwine	Mr. Ken Stewart
	Mr. Sterling Webster

Oregon Inlet Stabilization Project

Rep. Joanne W. Bowie,	Sen. Howard N. Lee,
Co-Chair	Co-Chair
Rep. Arlie F. Culp	Sen. Fountain Odom
Rep. Rick L. Eddins	Mr. John W. Forbis
Rep. Theodore J. Kinney	Mr. Glen Miller
Rep. W. Franklin Mitchell	Dr. Orrin Pilke
Mr. Dan Dawson	Mr. Larry Saunders
Mr. Danny Gray	Mr. Jerry Schill
Mr. Bob McDuffie	Mr. Harry Shiffman
Dr. Stanley R. Riggs	Mr. Dwight Wheless
Mr. Jonathan Robinson	Mr. George Wood

Storm Hazard and Wastewater Systems Permits

Rep. Arlie F. Culp, Co-Chair	Mr. Bill Clark, Co-Chair
Rep. Bobby H. Barbee, Sr.	Hon. Joan P. Altman
Rep. Rick L. Eddins	Mr. A. C. Blankenship
Rep. Edwin M. Hardy	Ms. Marie Colton
Rep. Mary E. McAllister	Mr. J. Webb Fuller
Mr. William Lapsley	Ms. Jennie Stultz

COURTS GROUPING

LRC Member: Senator Frank W. Ballance, Jr.

Division of 30th District Court District and 30th Prosecutorial District

Rep. James C. Carpenter, Co-Chair	Sen. Thomas K. Jenkins, Co-Chair
Rep. Larry T. Justus	Sen. Walter Dalton
Rep. Theodore J. Kinney	Sen. Hamilton C. Horton, Jr.
Rep. Joe L. Kiser	Sen. Eric M. Reeves
Rep. Edgar V. Starnes	Sen. Leslie Winner

Future of the Courts

Rep. N. Leo Daughtry, Co-Chair	Sen. Frank W. Ballance, Jr., Co-Chair
Rep. Philip A. Baddour, Jr.	Sen. Wib Gulley
Rep. Daniel T. Blue, Jr.	Sen. Fletcher L. Hartsell, Jr.
Rep. William T. Culpepper, III	Sen. Hamilton C. Horton, Jr.
Rep. Stanley H. Fox	Sen. Thomas K. Jenkins
Rep. Edwin M. Hardy	Sen. John H. Kerr, III
Rep. Larry T. Justus	Sen. Fountain Odom
Rep. Joe L. Kiser	Sen. Anthony E. Rand
Rep. Charles B. Neely, Jr.	Sen. R. C. Soles, Jr.
Rep. Gregory J. Thompson	Sen. Allen H. Wellons
Rep. Constance K. Wilson	Sen. Leslie Winner
Mr. Charles Cromer	Mr. Tony Hornethal
	Hon. Jerry Tillett

Guardian Ad Litem Program

Rep. William S. Hiatt, Co-Chair	Sen. Allen H. Wellons, Co-Chair
Rep. Martha B. Alexander	Sen. Robert L. Martin
Rep. Charles M. Beall	Ms. Joan Crank
Rep. Verla C. Insko	Mr. Al Deitch
Rep. Mia Morris	Mrs. Claudia Kadis
Rep. Gregory J. Thompson	Mr. Robert Loddengaard
Rep. Joe P. Tolson	Mr. Dean Westmoreland
Ms. Susan Mills	Hon. Archie D. Williams
Dr. Stephen Shaffer	

EDUCATION GROUPING

LRC Member: Rep. Michael P. Decker

Community Colleges

Rep. John M. Rayfield, Co-Chair	Sen. Aaron W. Plyler, Co-Chair
Rep. Donald A. Bonner	Sen. Charles W. Albertson
Rep. James C. Carpenter	Sen. Frank W. Ballance, Jr.
Rep. W. Robert Grady	Sen. John H. Carrington
Rep. Richard L. Moore	Sen. John A. Garwood
Rep. P. Wayne Sexton, Sr.	Sen. Thomas K. Jenkins
Rep. Fern H. Shubert	Mr. Parker Chesson
Rep. Cynthia B. Watson	Mr. Joe Grimsley
Rep. Larry W. Womble	Mr. B. E. Mendenhall

Cooperative Extension Service

Rep. Edgar V. Starnes, Co-Chair
Rep. Bobby H. Barbee, Sr.
Rep. John W. Brown
Rep. Arlie F. Culp
Rep. Dewey L. Hill
Rep. Howard J. Hunter, Jr.
Rep. W. Franklin Mitchell

Substance Abuse Aftercare

Rep. W. Eugene Wilson, Co-Chair	Sen. William N. Martin, Co-Chair
Rep. Martha B. Alexander	Sen. Charlie S. Dannelly
Rep. Beverly Earle	Sen. Robert A. Rucho
Rep. Theresa H. Esposito	Dr. Yolanda Burwell
Rep. Charlotte A. Gardner	Ms. Debbie Peeden
Rep. Edd Nye	Mr. Joe Roberts
Mr. Ron Osborne	Mr. Ken Waters
Mr. Selbert M. Wood, Jr.	Mr. Willie R. Williams

ETHICAL AND OPEN GOVERNMENT ISSUES

LRC Member: Sen. Jeanne Lucas

Lobbying and Conflict of Interest Issues

Rep. Julia C. Howard, Co-Chair	Sen. Brad Miller, Co-Chair
Rep. Donald A. Bonner	Sen. John H. Carrington
Rep. Ruth M. Easterling	Sen. James Forrester
Rep. J. Sam Ellis	Sen. Wib Gulley
Rep. W. Robert Grady	Sen. Thomas K. Jenkins
Rep. Richard L. Moore	Sen. R. L. Martin
Rep. Richard T. Morgan	Sen. Beverly M. Perdue
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Rep. W. Robert Grady	Mr. Fred Crisp
Rep. Theodore J. Kinney	

FINANCIAL INSTITUTIONS AND INFORMATION TECHNOLOGY

LRC Member: Sen. Ed N. Warren

Financial Institutions Issues

Rep. Bobby Ray Hall, Co-Chair	Sen. Ed N. Warren, Co-Chair
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Rep. Jerry C. Braswell	Sen. Robert C. Carpenter
Rep. J. Samuel Ellis	Sen. David W. Hoyle
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Rep. Timothy N. Tallent	Sen. David Weinstein
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Rep. William L. Wainwright	

Information Technology

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Rep. Debbie A. Clary	Sen. Betsy L. Cochrane
Rep. Beverly Earle	Sen. Virginia Foxx
Rep. Rick L. Eddins	Sen. Eric M. Reeves
Rep. Lyons Gray	Sen. Robert A. Rucho
Rep. Joe P. Tolson	Dr. David Garson
Ms. Ann Q. Duncan	Dr. Patrick W. Hamlett
Ms. Carla DuPuy	Mrs. Judy LeCroy
Ms. Darlen Johns	Dr. Celestine Ntuen
Ms. Betsy Justus	Dr. John Spurlin
Ms. Dawn L. Melton	Mr. Barry H. Wright
Ms. Janey Place	Dean Earl G. Yarbrough, Sr.
Mr. Cecil Smith	

GOVERNMENT SERVICES AND REVENUE ISSUES GROUPING

LRC Member: Sen. Robert L. Martin

State Government Services Improvement

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Co-Chair	Co-Chair
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Rep. Thomas C. Hardaway	Sen. R. L. Clark
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Rep. Wilma M. Sherrill	Mr. Bill Niven
Rep. Constance K. Wilson	Dr. Charles L. Recktenwald

Dedicated Sources of Revenue

Rep. Cary D. Allred,	Sen. Frank W. Ballance, Jr.,
Co-Chair	Co-Chair
Rep. E. Nelson Cole	Sen. Wib Gulley
Rep. Michael P. Decker	Sen. Anthony W. Rand
Rep. Lyons Gray	Sen. Larry Shaw
Rep. Verla C. Insko	Sen. David Weinstein
Rep. Fern H. Shubert	Mr. Jeff Cash
Rep. Constance K. Wilson	Mr. Fred Mills

Intergovernmental Relations and Fiscal Reform

Rep. John H. Weatherly,	Sen. Robert L. Martin,
Co-Chair	Co-Chair
Rep. Gene G. Arnold	Sen. Virginia Foxx
Rep. Lanier M. Cansler	Sen. Wib Gulley
Rep. James W. Crawford, Jr.	Sen. Fletcher L. Hartsell, Jr.
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Rep. Maggie Jeffus	Sen. William R. Purcell
Rep. Edgar V. Starnes	Sen. Leslie Winner

INSURANCE, PROPERTY, AND ANNEXATION GROUPING

LRC Member: Rep. Jerry C. Dockham

Insurance Issues

Rep. Bobby H. Barbee, Sr.,

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Rep. E. David Redwine

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Sen. R. C. Soles, Jr.,

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Land Title Registration Procedures

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Municipalities Annexation and Incorporation

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Rep. Cary D. Allred

Rep. Michael P. Decker

Rep. Beverly Earle

Rep. Rick L. Eddins

Rep. J. Sam Ellis

Rep. Lyons Gray

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REGULATION GROUPING

LRC Member: Rep. Beverly Earle

Adoption Registry

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Rep. Howard J. Hunter, Jr.	Mr. Herbert Dawson
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Rep. W. Eugene Wilson	Hon. Kenneth R. Moore
Ms. Lynn N. Giddens	Dr. Charles Rectenwald
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Bingo Regulation

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Rep. Bobby H. Barbee, Sr.	Sen. Jesse I. Ledbetter
Rep. Arlie F. Culp	Ms. Brenda Brewer
Rep. W. Robert Grady	Mr. Earl Davis
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Rep. W. Eugene McCombs	Sen. Jesse I. Ledbetter
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Mr. Speros J. Fleggas	Mr. Clyde Holt
Mr. Marshall Gurley	Mr. Don Lanning
Mr. Malcomb Heyworth	Mr. Phil Revis
Mr. William L. O'Brien, Jr.	Mr. Skip Saunders
Mr. Willy Stewart	Mr. Steven D. Schuster
Mr. Dan Tingen	Mr. James Steele

Cemetery Issues

Rep. Cary D. Allred,
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Rep. W. Pete Cunningham

Rep. Howard J. Hunter, Jr.

Rep. P. Wayne Sexton, Sr.

Rep. William L. Wainwright

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Sen. Luther H. Jordan, Jr.,
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Sen. John M. Blust

Ms. Helen Moody Buckner

Mr. Elliott Futrell

Dr. Ray A. Howell, III

Mr. James F. Lofton

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Rep. Rick L. Eddins

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Mr. William D. Mills

Ms. Mollie Scerbo

Mr. Artie Tillett

Mr. Todd Tilley

Mr. Terry Waterfield

1997-1998

**APPOINTMENTS BY THE SPEAKER
TO THE NATIONAL COMMITTEES AND
TASK FORCES OF THE
COUNCIL OF STATE GOVERNMENTS**

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Representative Robert C. Hunter

Representative Thomas E. Wright

Executive

Representative Robert C. Hunter

Finance

Representative Milton F. Fitch, Jr.

Representative Lyons Gray

Representative Robert C. Hunter

Representative Carolyn B. Russell

Intergovernmental Affairs	Representative Daniel T. Blue, Jr. Representative N. Leo Daughtry Representative Robert C. Hunter
Associates Advisory	Representative Robert C. Hunter Representative R. Eugene Rogers
International	Representative Robert C. Hunter Representative Larry T. Justus Representative Gregory J. Thompson
Strategic Planning	Representative Robert C. Hunter Representative E. David Redwine Representative Wilma M. Sherrill
Environmental	Representative Gregory J. Thompson
Suggested State Legislation	Representative Joanne W. Bowie Representative Milton F. Fitch, Jr. Representative Robert C. Hunter Representative Jean R. Preston Representative Carolyn B. Russell Mr. Gerry Cohen Mr. Terrance Sullivan

1997-1998

**APPOINTMENTS BY THE SPEAKER
TO THE STANDING COMMITTEES OF THE
NATIONAL CONFERENCE OF
STATE LEGISLATURES**

ASSEMBLY ON STATE ISSUES

COMMITTEE**APPOINTEE**

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Finance	Rep. Milton F. Fitch, Jr. Rep. Lyons Gray Rep. Robert C. Hunter Rep. Carolyn B. Russell

1997-1998

**APPOINTMENTS BY THE SPEAKER
TO THE STANDING COMMITTEES OF THE
NATIONAL CONFERENCE OF
STATE LEGISLATURES**

ASSEMBLY ON FEDERAL ISSUES

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Human Services	Rep. Charlotte Gardner	Rep. Martha B. Alexander Rep. Verla C. Insko Rep. Edd Nye
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1997-1998
APPOINTMENTS BY THE SPEAKER
TO COMMITTEES OF THE
SOUTHERN LEGISLATIVE CONFERENCE

COMMITTEE	MEMBER	ALTERNATE
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Energy & Environment	Rep. Rick Eddins Rep. Frank Mitchell Rep. Cynthia B. Watson	Rep. Foyle Hightower
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Intergovernmental Affairs	Rep. Michael P. Decker Rep. Eugene McCombs Rep. Warren C. Oldham	Rep. John W. Hurley

**CONFERENCE COMMITTEE SUBSTITUTE
FOR HOUSE BILL 183**

PCCS 1455, A BILL TO BE ENTITLED AN ACT TO INCLUDE PRIOR IMPAIRED DRIVING CONVICTIONS IN FELONY PRIOR RECORD LEVEL CALCULATION, AND TO PROVIDE FOR AN INDEFINITE CIVIL SUSPENSION OF A DRIVERS LICENSE WHEN A DRIVER IS CHARGED WITH AN IMPAIRED DRIVING OFFENSE WHILE ANOTHER IMPAIRED DRIVING OFFENSE IS PENDING DISPOSITION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 15A-1340.14(b) reads as rewritten:

"(b) Points. -- Points are assigned as follows:

- (1) For each prior felony Class A conviction, 10 points.
- (1a) For each prior felony Class B1 conviction, 9 points.
- (2) For each prior felony Class B2, C, or D conviction, 6 points.
- (3) For each prior felony Class E, F, or G conviction, 4 points.
- (4) For each prior felony Class H or I conviction, 2 points.
- (5) For each prior Class A1 or Class 1 misdemeanor ~~conviction~~, conviction or prior impaired driving conviction under G.S. 20-138.1, 1 point, except that convictions for Class 1 misdemeanor offenses under Chapter 20 of the General Statutes, other than conviction for misdemeanor death by vehicle (~~G.S. 20-141.4(a2)~~), (G.S. 20-141.4(a2)) and conviction for impaired driving in a commercial vehicle (G.S. 20-138.2), shall not be assigned any points for purposes of determining a person's prior record for felony sentencing.
- (6) If all the elements of the present offense are included in the prior offense, 1 point.
- (7) If the offense was committed while the offender was on probation or parole, or while the offender was serving a sentence of imprisonment, or while the offender was on escape from a correctional institution while serving a sentence of imprisonment, 1 point.

For purposes of determining prior record points under this subsection, a conviction for a first degree rape or a first degree sexual offense committed prior to the effective date of this subsection shall be treated as a felony Class B1 conviction, and a conviction for any other felony Class B offense committed prior to the effective date of this subsection shall be treated as a felony Class B2 conviction."

Section 2. G.S. 20-16.5(a) reads as rewritten:

"(a) Definitions. -- As used in this section the following words and phrases have the following meanings:

- (1) Charging Officer. -- As described in G.S. 20-16.2(a1).
- (2) Clerk. -- As defined in G.S. 15A-101(2).
- (3) Judicial Official. -- As defined in G.S. 15A-101(5).
- (4) Revocation Report. -- A sworn statement by a charging officer and a chemical analyst containing facts indicating that the conditions of subsection (b) have been ~~met~~ met, and whether the person has a pending offense for which their license had been or is revoked under this section. When one chemical analyst analyzes a person's blood and another chemical analyst informs a person of his rights and responsibilities under G.S. 20-16.2, the report must include the statements of both analysts.
- (5) Surrender of a Driver's License. -- The act of turning over to a court or a law-enforcement officer the person's most recent, valid driver's license or learner's permit issued by the Division or by a similar agency in another jurisdiction, or a limited driving privilege issued by a North Carolina court. A person who is validly licensed but who is unable to locate his license card may file an affidavit with the clerk setting out facts that indicate that he is unable to locate his license card and that he is validly licensed; the filing of the affidavit constitutes a surrender of the person's license."

Section 3. G.S. 20-16.5(e), as amended by Chapter 379 of the 1997 Session Laws, reads as rewritten:

"(e) Procedure if Report Filed with Judicial Official When Person Is Present. -- If a properly executed revocation report concerning a person is filed with a judicial official when the person is present before that official, the judicial official shall, after completing any other proceedings involving the person, determine whether there is probable cause to believe that each of the conditions of subsection (b) has been met. If he determines that there is such probable cause, he shall enter an order revoking the person's driver's license for the period required in this subsection. The judicial official shall order the person to surrender his license and if necessary may order a law-enforcement officer to seize the license. The judicial official shall give the person a copy of the revocation order. In addition to setting it out in the order the judicial official shall personally inform the person of his right to a hearing as specified in subsection (g), and that his license remains revoked

pending the hearing. ~~Unless the person is not currently licensed, the~~ The revocation under this subsection begins at the time the revocation order is issued and continues until the person's license has been ~~surrendered for 30 days and the person has paid the applicable costs.~~ If the person is not currently licensed, the revocation continues until 30 days from the date the revocation order is issued and the person has paid the applicable costs. revoked for the period specified in this subsection, and the person has paid the applicable costs. The period of revocation is 30 days, if there are no pending offenses for which the person's license had been or is revoked under this section. If at the time of the current offense, the person has one or more pending offenses for which his license had been or is revoked under this section, the revocation shall remain in effect until a final judgment, including all appeals, has been entered for the current offense and for all pending offenses. In no event, may the period of revocation under this subsection be less than 30 days. If within five working days of the effective date of the order, the person does not surrender his license or demonstrate that he is not currently licensed, the clerk shall immediately issue a pick-up order. The pick-up order shall be issued to a member of a local law-enforcement agency if the charging officer was employed by the agency at the time of the charge and the person resides in or is present in the agency's territorial jurisdiction. In all other cases, the pick-up order shall be issued to an officer or inspector of the Division. A pick-up order issued pursuant to this section is to be served in accordance with G.S. 20-29 as if the order had been issued by the Division."

Section 4. G.S. 20-16.5(f), as amended by Chapter 379 of the 1997 Session Laws, reads as rewritten:

"(f) Procedure if Report Filed with Clerk of Court When Person Not Present. -- When a clerk receives a properly executed report under subdivision (d)(3) and the person named in the revocation report is not present before the clerk, the clerk shall determine whether there is probable cause to believe that each of the conditions of subsection (b) has been met. If he determines that there is such probable cause, he shall mail to the person a revocation order by first-class mail. The order shall direct that the person on or before the effective date of the order either surrender his license to the clerk or appear before the clerk and demonstrate that he is not currently licensed, and the order shall inform the person of the time and effective date of the revocation and of its duration, of his right to a hearing as specified in subsection (g), and that the revocation remains in effect pending the hearing. Revocation orders mailed under this subsection become effective on the fourth day after the order is deposited in the United States mail. If within five working days of the effective date of the order, the person does not surrender his license to the clerk or appear before the clerk to demonstrate that he is not currently licensed, the clerk shall

immediately issue a pick-up order. The pick-up order shall be issued and served in the same manner as specified in subsection (e) for pick-up orders issued pursuant to that subsection. A revocation under this subsection begins at the date specified in the order and continues until the person's license has been revoked for the period specified in this subsection and the person has paid the applicable costs. The If the person has no pending offenses for which his license had been or is revoked under this section, the period of revocation under this subsection is:

- (1) Thirty days from the time the person surrenders his license to the court, if the surrender occurs within five working days of the effective date of the order; or
- (2) Thirty days after the person appears before the clerk and demonstrates that he is not currently licensed to drive, if the appearance occurs within five working days of the effective date of the revocation order; or
- (3) Forty-five days from the time:
 - a. The person's drivers license is picked up by a law-enforcement officer following service of a pick-up order; or
 - b. The person demonstrates to a law-enforcement officer who has a pick-up order for his license that he is not currently licensed; or
 - c. The person's drivers license is surrendered to the court if the surrender occurs more than five working days after the effective date of the revocation order; or
 - d. The person appears before the clerk to demonstrate that he is not currently licensed, if he appears more than five working days after the effective date of the revocation order.

If at the time of the current offense, the person has one or more pending offenses for which his license had been or is revoked under this section, the revocation shall remain in effect until a final judgment, including all appeals, has been entered for the current offense and for all pending offenses. In no event may the period of revocation for the current offense be less than the applicable period of revocation in subdivision (1), (2), or (3) of this subsection. When a pick-up order is issued, it shall inform the person of his right to a hearing as specified in subsection (g), and that the revocation remains in effect pending the hearing. An officer serving a pick-up order under this subsection shall return the order to the court indicating the date it was served or that he was unable to serve the order. If the license was surrendered, the officer serving the order shall deposit it with the clerk within three days of the surrender."

Section 5. G.S. 20-16.5(p), as enacted by Section 3.4 of Chapter 379 of the 1997 Session Laws, reads as rewritten:

"(p) Limited Driving Privilege. -- A person whose drivers license has been revoked for a specified period of 30 or 45 days under this section may apply for a limited driving privilege if:

- (1) At the time of the alleged offense the person held either a valid drivers license or a license that had been expired for less than one year;
- (2) Does not have an unresolved pending charge involving impaired driving except the charge for which the license is currently revoked under this section or additional convictions of an offense involving impaired driving since being charged for the violation for which the license is currently revoked under this section;
- (3) The person's license has been revoked for at least 10 days if the revocation is for 30 days or 30 days if the revocation is for 45 days; and
- (4) The person has obtained a substance abuse assessment from a mental health facility and registers for and agrees to participate in any recommended training or treatment program.

A person whose license has been indefinitely revoked under this section may, after completion of 30 days under subsection (e) or the applicable period of time under subdivision (1), (2), or (3) of subsection (f), apply for a limited driving privilege. In the case of an indefinite revocation, a judge of the division in which the current offense is pending may issue the limited driving privilege only if the privilege is necessary to overcome undue hardship and the person meets the eligibility requirements of G.S. 20-179.3, except that the requirements in G.S. 20-179.3(b)(1)c. and G.S. 20-179.3(e) shall not apply. Except as modified in this subsection, the provisions of G.S. 20-179.3 relating to the procedure for application and conduct of the hearing and the restrictions required or authorized to be included in the limited driving privilege apply to applications under this subsection. Any district court judge authorized to hold court in the judicial district is authorized to issue such a limited driving privilege. A limited driving privilege issued under this section authorizes a person to drive if the person's license is revoked solely under this section. If the person's license is revoked for any other reason, the limited driving privilege is invalid."

Section 6. G.S. 20-16.5(k), as amended by Chapter 379 of the 1997 Session Laws, reads as rewritten:

"(k) Report to Division. -- Except as provided below, the clerk shall mail a report to the ~~Division within~~ Division:

- (1) If the license is revoked indefinitely, within 10 working days of the revocation of the license; and
- (2) In all cases, within 10 working days of the return of a license under this section or of the termination of a revocation of the driving privilege of a person not currently licensed.

The report shall identify the person whose license has been ~~revoked and~~ revoked, specify the date on which his license was ~~revoked~~ revoked, and indicate whether the license has been returned. The report must also provide, if applicable, whether the license is revoked indefinitely. No report need be made to the Division, however, if there was a surrender of the driver's license issued by the Division, a 30-day minimum revocation was imposed, and the license was properly returned to the person under subsection (h) within five working days after the 30-day period had elapsed."

Section 7. The Judicial Department shall implement the provisions of this act from existing funds available to it.

Section 8. Section 1 of this act becomes effective December 1, 1997. Sections 2 through 6 of this act become effective July 1, 1998. The remainder of this act is effective when it becomes law.

CONFERENCE COMMITTEE SUBSTITUTE FOR HOUSE BILL 227

PCCS 8263, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT RECORDATION OF AN INACTIVE HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITE IS NOT REQUIRED IN CERTAIN CASES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 130A-310.8 reads as rewritten:

"§ 130A-310.8. Recordation of inactive hazardous substance or waste disposal sites.

(a) After determination by the Department of the existence and location of an inactive hazardous substance or waste disposal site, the owner of the real property on which the site is located, within 180 days after official notice to him to do so, shall submit to the Department a survey plat of areas designated by the Department which has been prepared and certified by a professional land surveyor, and entitled 'NOTICE OF INACTIVE HAZARDOUS SUBSTANCE OR WASTE DISPOSAL SITE'. The Notice

shall include a legal description of the site that would be sufficient as a description in an instrument of conveyance, shall meet the requirements of G.S. 47-30 for maps and plats, and shall identify:

- (1) The location and dimensions of the disposal areas with respect to permanently surveyed benchmarks; and
- (2) The type, location, and quantity of hazardous substances disposed of on the site, to the best of the owner's knowledge.

Where an Inactive Hazardous Substance or Waste Disposal Site is located on more than one parcel or tract of land, a composite map or plat showing all such sites may be recorded.

(b) After the Department approves and certifies the Notice, the owner of the site shall file the certified copy of the Notice in the register of deeds' office in the county or counties in which the land is located.

(c) The register of deeds shall record the certified copy of the Notice and index it in the grantor index under the names of the owners of the lands.

(d) In the event that the owner of the site fails to submit and file the Notice required by this section within the time specified, the Secretary may prepare and file such Notice. The costs thereof may be recovered by the Secretary from any responsible party. In the event that an owner of a site who is not a responsible party submits and files the Notice required by this section, he may recover the reasonable costs thereof from any responsible party.

(e) When an inactive hazardous substance or waste disposal site is sold, leased, conveyed, or transferred, the deed or other instrument of transfer shall contain in the description section, in no smaller type than that used in the body of the deed or instrument, a statement that the property has been used as a hazardous substance or waste disposal site and a reference by book and page to the recordation of the Notice.

(f) A Notice of Inactive Hazardous Substance or Waste Disposal Site shall be cancelled by the Secretary after the hazards have been eliminated. The Secretary shall send to the register of deeds of the county where the Notice is recorded a statement that the hazards have been eliminated and request that the Notice be cancelled of record. The Secretary's statement shall contain the names of the landowners as shown in the Notice and reference the plat book and page where the Notice is recorded. The register of deeds shall record the Secretary's statement in the deed books and index it on the grantor index in the name of the landowner as shown in the Notice and on the grantee index in the name 'Secretary of Environment, Health, and Natural Resources'. The register of deeds shall make a marginal entry on the Notice showing the date of cancellation and the book and page where the Secretary's statement is recorded, and the register shall sign the

entry. If a marginal entry is impracticable because of the method used to record maps and plats, the register of deeds shall not be required to make a marginal entry.

(g) ~~This section shall apply with respect to any facility, structure, or area where disposal of any hazardous substance or waste has occurred which~~ Recordation under this section is not required for any inactive hazardous substance or waste disposal site that is undergoing voluntary remedial action pursuant to this Part. Part unless the Secretary determines that either:

- (1) A concentration of a hazardous substance or hazardous waste that poses a danger to public health or the environment will remain following implementation of the voluntary remedial action program.
- (2) The voluntary remedial action program is not being implemented in a manner satisfactory to the Secretary and in compliance with the agreement between the Secretary and the owner, operator, or other responsible party.

(h) The Secretary may waive recordation under this section with respect to any residential real property that is contaminated solely because a hazardous substance or hazardous waste migrated to the property from other property by means of groundwater flow if disclosure of the contamination is required under Chapter 47E of the General Statutes. An owner of residential real property whose recordation requirement is waived by the Secretary under this subsection and who fails to disclose contamination as required by Chapter 47E of the General Statutes is subject to both the penalties and remedies under this Chapter applicable to a person who fails to comply with the recordation requirements of this section as though those requirements had not been waived and to the remedies available under Chapter 47E of the General Statutes."

Section 2. This act is effective when it becomes law.

CONFERENCE COMMITTEE SUBSTITUTE FOR HOUSE BILL 515

PCCS 6321, A BILL TO BE ENTITLED AN ACT TO ENACT THE CLEAN WATER RESPONSIBILITY AND ENVIRONMENTALLY SOUND POLICY ACT, A COMPREHENSIVE AND BALANCED PROGRAM TO PROTECT WATER QUALITY, PUBLIC HEALTH, AND THE ENVIRONMENT.

The General Assembly of North Carolina enacts:

**PART I. MORATORIA ON CONSTRUCTION OR EXPANSION
OF SWINE FARMS**

Section 1.1. (a) Moratorium Established. -- As used in this section, "swine farm" and "lagoon" have the same meaning as in G.S. 106-802. As used in this section, "animal waste management system" has the same meaning as in G.S. 143-215.10B. There is hereby established a moratorium on the construction or expansion of swine farms and on lagoons and animal waste management systems for swine farms. The purposes of this moratorium are to allow counties time to adopt zoning ordinances under G.S. 153A-340, as amended by Section 2.1 of this act; to allow time for the completion of the studies authorized by the 1995 General Assembly (1996 Second Extra Session); and to allow the 1999 General Assembly to receive and act on the findings and recommendations of those studies. Except as provided in subsection (b) of this section, the Environmental Management Commission shall not issue a permit for an animal waste management system for a new swine farm or the expansion of an existing swine farm for a period beginning on 1 March 1997 and ending on 1 March 1999. The construction or expansion of a swine farm or animal waste management system for a swine farm is prohibited during the period of the moratorium regardless of the date on which a site evaluation for the swine farm is completed and regardless of whether the animal waste management system is permitted under G.S. 143-215.1 or Part 1A of Article 21 of Chapter 143 of the General Statutes or deemed permitted under 15A North Carolina Administrative Code 2H.0217.

(b) Exceptions. -- The moratorium established by subsection (a) of this section does not prohibit:

- (1) Construction to repair a component of an existing swine farm or lagoon.
- (2) Construction to replace a component of an existing swine farm or lagoon if the replacement does not result in an increase in swine population, except as provided in subdivision (3) or (7) of this subsection.
- (3) Construction or expansion for the purpose of increasing the swine population to the projected population or to the population that the animal waste management system serving that swine farm is designed to accommodate, as set forth in a certified animal waste management plan filed with the Department of Environment, Health, and Natural Resources prior to 1 March 1997.

- (4) Construction or expansion for the purpose of complying with applicable animal waste management rules and not for the purpose of increasing the swine population.
- (5) Construction or expansion, if the person undertaking the construction or expansion of the swine farm, lagoon, or animal waste management system has been issued a permit for that construction or expansion under G.S. 143-215.1 or Part 1A of Article 21 of Chapter 143 of the General Statutes prior to the date this act becomes effective.
- (6) Construction or expansion, if the person undertaking the construction or expansion of the swine farm, lagoon, or animal waste management system has, prior to 1 March 1997, either:
 - a. Laid a foundation for a component of the swine farm, lagoon, or animal waste management system.
 - b. Entered into a bona fide written contract for the construction or expansion of the swine farm, lagoon, or animal waste management system.
 - c. Been approved for a loan or line of credit to finance the construction or expansion of the swine farm, lagoon, or animal waste management system and has obligated or expended funds derived from the loan or line of credit.
- (7) Construction or expansion of an innovative animal waste management system that does not employ an anaerobic lagoon and that has been approved by the Department of Environment, Health, and Natural Resources.
- (c) Establishing Eligibility for an Exemption. -- It shall be the responsibility of an applicant for a permit for an animal waste management system for a new swine farm or for the expansion of an existing swine farm under subdivisions (1) through (7) of subsection (b) of this section to provide information and documentation to the Department of Environment, Health, and Natural Resources that establishes, to the satisfaction of the Department, that the applicant is eligible for the permit. In demonstrating eligibility for a permit under this section, the burden of proof shall be on the applicant.

Section 1.2. (a) As used in this section, "swine farm" and "lagoon" have the same meaning as in G.S. 106-802. As used in this section, "animal waste management system" has the same meaning as in

G.S. 143-215.10B. There is hereby established a moratorium for any new or expanding swine farm or lagoon for which a permit is required under Parts 1 or 1A of Chapter 143 of the General Statutes in any county in the State: (i) that has a population of less than 75,000 according to the most recent decennial federal census; (ii) in which there is more than one hundred fifty million dollars (\$150,000,000) of expenditures for travel and tourism based on the most recent figures of the Department of Commerce; and (iii) that is not in the coastal area as defined by G.S. 113A-103. Effective 1 January 1997, until 1 March 1999, the Environmental Management Commission shall not issue a permit for an animal waste management system, as defined in G.S. 143-215.10B, or for a new or expanded swine farm or lagoon, as defined in G.S. 106-802. The exemptions set out in subsection (b) of Section 1.1 of this act do not apply to the moratorium established under this section.

(b) In order to protect travel and tourism, effective 1 March 1999, no animal waste management system shall be permitted except under an individual permit issued under Part 1 of Article 21 of Chapter 143 of the General Statutes in any county in the State: (i) that has a population of less than 75,000 according to the most recent decennial federal census; (ii) in which there is more than one hundred fifty million dollars (\$150,000,000) of expenditures for travel and tourism based on the most recent figures of the Department of Commerce; and (iii) that is not in the coastal area as defined by G.S. 113A-103.

PART II. AGRICULTURAL ZONING BY COUNTIES

Section 2.1. G.S. 153A-340 reads as rewritten:

"§ 153A-340. Grant of power.

(a) For the purpose of promoting health, safety, morals, or the general welfare, a county may regulate and restrict the height, number of stories and size of buildings and other structures, the percentage of lots that may be occupied, the size of yards, courts and other open spaces, the density of population, and the location and use of buildings, structures, and land for trade, industry, residence, or other purposes, and to provide density credits or severable development rights for dedicated rights-of-way pursuant to G.S. 136-66.10 or G.S. 136-66.11.

(b) (1) These regulations may ~~not~~ affect property used for bona fide farms, but any farm purposes only as provided in subdivision (3) of this subsection. This subsection does not limit regulation under this Part with respect to the

use of farm property for nonfarm purposes is subject to the regulations. purposes.

(2) Bona fide farm purposes include the production and activities relating or incidental to the production of crops, fruits, vegetables, ornamental and flowering plants, dairy, livestock, poultry, and all other forms of agricultural products having a domestic or foreign market.

(3) The definitions set out in G.S. 106-802 apply to this subdivision. A county may adopt zoning regulations governing swine farms served by animal waste management systems having a design capacity of 600,000 pounds steady state live weight (SSLW) or greater provided that the zoning regulations may not have the effect of excluding swine farms served by an animal waste management system having a design capacity of 600,000 pounds SSLW or greater from the entire zoning jurisdiction.

(c) The regulations may provide that a board of adjustment may determine and vary their application in harmony with their general purpose and intent and in accordance with general or specific rules therein contained. The regulations may also provide that the board of adjustment or the board of commissioners may issue special use permits or conditional use permits in the classes of cases or situations and in accordance with the principles, conditions, safeguards, and procedures specified therein and may impose reasonable and appropriate conditions and safeguards upon these permits. Where appropriate, the conditions may include requirements that street and utility rights-of-way be dedicated to the public and that recreational space be provided. When issuing or denying special use permits or conditional use permits, the board of commissioners shall follow the procedures for boards of adjustment except that no vote greater than a majority vote shall be required for the board of commissioners to issue such permits, and every such decision of the board of commissioners shall be subject to review by the superior court by proceedings in the nature of certiorari.

(d) A county may regulate the development over estuarine waters and over lands covered by navigable waters owned by the State pursuant to G.S. 146-12, within the bounds of that county.

(e) For the purpose of this section, the term 'structures' shall include floating homes.

(f) Any petition for review by the superior court shall be filed with the clerk of superior court within 30 days after the decision of the board of commissioners is filed in such office as the ordinance specifies, or after a

written copy thereof is delivered to every aggrieved party who has filed a written request for such copy with the clerk at the time of the hearing of the case, whichever is later. The decision of the board of commissioners may be delivered to the aggrieved party either by personal service or by registered mail or certified mail return receipt requested."

Section 2.2. Zoning regulations governing swine farms served by animal waste management systems having a design capacity of 600,000 pounds steady state live weight (SSLW) or greater adopted under G.S. 153A-340(b), as amended by Section 2.1 of this act, shall not, with respect to a swine farm in existence at the time the zoning ordinance is adopted:

- (1) Prohibit the continued existence of the swine farm.
- (2) Require the amortization of the swine farm.
- (3) Prohibit the repair or replacement on the same site of the swine farm so long as the repair or replacement does not increase the swine population beyond the population that the animal waste management system serving the swine farm is designed to accommodate, as set forth in the permit for the animal waste management system.

PART III. CONTROL OF ODOR EMISSIONS FROM ANIMAL OPERATIONS

Section 3.1. G.S. 143-215.107(a) is amended by adding a new subdivision to read:

"(11) To develop and adopt economically feasible standards and plans necessary to implement programs to control the emission of odors from animal operations, as defined in G.S. 143-215.10B."

Section 3.2. The Board of Governors of The University of North Carolina shall present its final report and recommendations on economically feasible odor control technologies, as provided in Section 27.3 of Chapter 18 of the 1995 Session Laws (1996 Second Extra Session), to the Environmental Review Commission and the Environmental Management Commission not later than 1 September 1998. If economically feasible odor control technology for animal operations is available, the Environmental Management Commission shall adopt a temporary rule to regulate the emission of odors from animal operations under G.S. 143-215.107(a)(11), as enacted by Section 3.1 of this act, no later than 1 March 1999. The Environmental Management Commission shall report on its progress in developing and adopting a rule to regulate the emission of odors from animal waste management systems as a part of each quarterly report the Environmental Management Commission makes to the Environmental Review Commission pursuant to G.S. 143B-282(b).

PART IV. SWINE FARM SITING ACT AMENDMENTS

Section 4.1. Article 67 of Chapter 106 of the General Statutes reads as rewritten:

"ARTICLE 67.**"Swine Farms.****"§ 106-800. Title.**

This Article shall be known as the 'Swine Farm Siting Act'.

"§ 106-801. Purpose.

The General Assembly finds that certain limitations on the siting of swine houses and lagoons for swine farms can assist in the development of pork production, which contributes to the economic development of the State, by lessening the interference with the use and enjoyment of adjoining property.

"§ 106-802. Definitions.

As used in this Article, unless the context clearly requires otherwise:

(1) 'Lagoon' means a confined body of water to hold animal byproducts including bodily waste from animals or a mixture of waste with feed, bedding, litter or other agricultural materials.

(2) Repealed by Session Laws 1997 (Regular Session, 1996), c. 626, s. 7.

(3) 'Occupied residence' means a dwelling actually inhabited by a person on a continuous basis as exemplified by a person living in his or her home.

(3a) 'Outdoor recreational facility' means any plot or tract of land on which there is located an outdoor swimming pool, tennis court, or golf course that is open to either the general public or to the members and guests of any organization having 50 or more members.

(4) 'Site evaluation' means an investigation to determine if a site meets all federal and State standards as evidenced by the Waste Management Facility Site Evaluation Report on file with the Soil and Water Conservation District office or a comparable report certified by a professional engineer or a comparable report certified by a technical specialist approved by the North Carolina Soil and Water Conservation Commission.

~~Department of Environment, Health and Natural Resources~~

(5) 'Swine farm' means a tract of land devoted to raising 250 or more animals of the porcine species.

(6) 'Swine house' means a building that shelters porcine animals on a continuous basis.

"§ 106-803. Siting requirements for swine houses, lagoons, and land areas onto which waste is applied at swine farms.

(a) A swine house or a lagoon that is a component of a swine farm shall be ~~located~~ located:

- (1) ~~at~~ At least 1,500 feet from any occupied ~~residence~~; residence.
- (2) ~~at~~ At least 2,500 feet from any ~~school, hospital, church, and school; hospital; church; outdoor recreational facility; national park; State Park, as defined in G.S. 113-44.9; historic property acquired by the State pursuant to G.S. 121-9 or listed in the North Carolina Register of Historic Places pursuant to G.S. 121-4.1; or child care center, as defined in G.S. 110-86, that is licensed under Article 7 of Chapter 110 of the General Statutes.~~
- (3) ~~at~~ At least 500 feet from any property boundary.
- (4) At least 500 feet from any well supplying water to a public water system, as defined in G.S. 130A-313.
- (5) At least 500 feet from any other well that supplies water for human consumption. This subdivision does not apply to a well located on the same parcel or tract of land on which the swine house or lagoon is located and that supplies water only for use on that parcel or tract of land or for use on adjacent parcels or tracts of land all of which are under common ownership or control.

(a1) The outer perimeter of the land area onto which waste is applied from a lagoon that is a component of a swine farm shall be at least ~~50~~ 75 feet from any boundary of property on which an occupied residence is located and from any perennial stream or river, other than an irrigation ditch or canal.

(a2) No component of a liquid animal waste management system for which a permit is required under Part 1 or 1A of Article 21 of Chapter 143 of the General Statutes, other than a land application site, shall be constructed on land that is located within the 100-year floodplain.

(b) A swine house or a lagoon that is a component of a swine farm may be located closer to a residence, school, hospital, church, or a property boundary than is allowed under subsection (a) of this section if written permission is given by the owner of the property and recorded with the Register of Deeds.

"§ 106-804. Enforcement.

(a) Any person ~~owning~~ who owns property directly affected by the siting requirements of G.S. 106-803 pursuant to subsection (b) of this section may bring a civil action against ~~a swine farmer~~ the owner or

operator of a swine farm who has violated G.S. 106-803 and may seek any one or more of the following:

- (1) Injunctive relief.
- (2) An order enforcing the siting requirements under G.S. 106-803.
- (3) Damages caused by the violation.

(b) A person is directly affected by the siting requirements of G.S. 106-803 only if the person ~~owns~~ owns a facility or property located within the siting requirements specified under G.S. 106-803.

- (1) ~~An occupied residence located less than 1,500 feet from a swine house or lagoon in violation of G.S. 106-803.~~
- (2) ~~A school, hospital, or church located less than 2,500 feet from a swine house or lagoon in violation of G.S. 106-803.~~
- (3) ~~Property whose boundary is located less than 500 feet from a swine house or lagoon in violation of G.S. 106-803.~~
- (4) ~~Property on which an occupied residence is located and whose boundary is less than 50 feet from the outer perimeter of the land area onto which waste is applied from a lagoon that is a component of a swine farm in violation of G.S. 106-803.~~
- (5) ~~Property that abuts a perennial stream or river, or on which a perennial stream or river is located, and that property and that perennial stream or river are less than 50 feet from the outer perimeter of the land area onto which waste is applied from a lagoon that is a component of a swine farm in violation of G.S. 106-803.~~

(c) If the court determines it is appropriate, the court may award court costs, including reasonable attorneys' fees and expert witnesses' fees, to any party. If a temporary restraining order or preliminary injunction is sought, the court may require the filing of a bond or equivalent security. The court shall determine the amount of the bond or security.

(d) Nothing in this section shall restrict any other right that any person may have under any statute or common law to seek injunctive or other relief.

"§ 106-805. Written notice of swine farms.

Any person who intends to construct a swine farm whose animal waste management system is subject to a permit under Part 1 or 1A of Article 21 of Chapter 143 of the General Statutes shall, after completing a site evaluation and before the farm site is modified, ~~attempt to~~ notify all adjoining property ~~owners and owners~~; all property owners who own property located across a public road, street, or highway from the swine

farm; the county or counties in which the farm site is located; and the local health department or departments having jurisdiction over the farm site of that person's intent to construct the swine farm. This notice shall be by certified mail sent to the address on record at the property tax office in the county in which the land is located. Notice to a county shall be sent to the county manager or, if there is no county manager, to the chair of the board of county commissioners. Notice to a local health department shall be sent to the local health director. The written notice shall include all of the following:

- (1) The name and address of the person intending to construct a swine farm.
- (2) The type of swine farm and the design capacity of the animal waste management system.
- (3) The name and address of the technical specialist preparing the waste management plan.
- (4) The address of the local Soil and Water Conservation District office.
- (5) Information informing the adjoining property owners and the property owners who own property located across a public road, street, or highway from the swine farm that they may submit written comments to the Division of Water Quality, Department of Environment, Health, and Natural Resources."

Section 4.2. The amendments to subsections (a) and (a1) of G.S. 106-803 made by Section 4.1 of this act and G.S. 106-803(a2), added to G.S. 106-803 by Section 4.1 of this act, apply to any new liquid animal waste management system for which construction commences on or after the date this act becomes law and to any expansion of an existing liquid animal waste management system for which construction commences on or after the date this act becomes law.

PART V. PRIORITY FOR LOANS OR GRANTS FROM THE CLEAN WATER REVOLVING LOAN AND GRANT FUND TO ASSIST LOCAL GOVERNMENTS IN MEETING THE NITROGEN AND PHOSPHOROUS LIMITS FOR SURFACE WATERS; PRIORITY FOR FUNDING FROM VARIOUS FUNDING SOURCES BASED ON COMPREHENSIVE LAND-USE PLANNING BY LOCAL GOVERNMENTS

Section 5.1. G.S. 159G-10 reads as rewritten:

"§ 159G-10. Priorities.

(a) **Determination.** -- Determination of priorities to be assigned each eligible application shall be made semiannually by each receiving agency during each fiscal year. Every eligible application filed under G.S. 159G-5(c), G.S. 159G-6(b)(1) or G.S. 159G-6(c)(1) shall be considered by the receiving agency with every other application filed under G.S. 159G-5(c), G.S. 159G-6(b)(1) or G.S. 159G-6(c)(1), respectively, and eligible for consideration during the same priority period, to determine the priority to be assigned to each application. The same procedure shall apply to every eligible application filed under G.S. 159G-6(b)(3) and G.S. 159G-6(c)(3) of this Chapter. Any application which does not contain the information required by this Chapter or regulations adopted by the receiving agency(s) shall not be deemed received until such information is furnished by the applicant to the receiving agency.

(a1) **(See note) Expired.**

(b) **Priority Factors.** -- All applications for revolving loans or grants under this Chapter eligible for consideration during each priority period shall be assigned a priority for such funds by the receiving agency. The priority factors shall be similar to those developed under the North Carolina Clean Water Bond Act of 1977, as provided in and modified by this subsection.

(1) **General Criteria.** --

a. The general criteria provided in 1 NCAC 22.0401 through .0403 on January 1, 1987, shall apply, except that 1 NCAC 22.0401(c) shall apply only to State funds appropriated to match available federal funds.

b. The existence of a comprehensive land-use plan that meets the requirements of subsection (e) of this section is a general criterion for prioritizing which local government units will receive a loan or grant. A local government unit that is not authorized to adopt a comprehensive land-use plan but that is located in whole or in part in another local government unit that has adopted a comprehensive land-use plan shall receive the same priority treatment as a local government unit that has authority to adopt a comprehensive land-use plan. A comprehensive land-use plan that meets the requirements of subsection (e) of this section and that exceeds the minimum State standards for protection of water resources shall receive more points than a plan that does not exceed those standards. Additional points may be

awarded for actions taken toward implementation of a comprehensive land-use plan. These actions may include the adoption of a zoning ordinance or any other measure that significantly contributes to the implementation of the comprehensive land-use plan.

- (2) Wastewater Treatment Work Projects. -- The priority criteria provided in 1 NCAC 22.0501 through .0506 on January 1, 1987, shall apply to applications for wastewater treatment work projects, except that 1 NCAC 22.0503 shall not apply.
- (3) Wastewater Collection System Projects. -- The priority criteria provided in 1 NCAC 22.0601 through .0606 on January 1, 1987, shall apply to applications for wastewater collection system projects, except that 1 NCAC 22.0601(2)(a) and (3), and 1 NCAC 22.0605(2), (3) and (4) shall not apply.
- (4) Water Supply System Projects. -- The priority criteria provided in 1 NCAC 22.0701 through .0704 on January 1, 1987, shall apply to applications for water supply system projects.
- (5) Wastewater Treatment Works Improvements to Meet Nitrogen and Phosphorous Limits. -- The Environmental Management Commission shall adopt a rule specifying priority criteria for modifications to existing permitted wastewater treatment facilities that are owned or operated by local government units and that are subject to G.S. 143-215.1(c1) or G.S. 143-215.1(c2) to enable local government units to comply with G.S. 143-215.1(c1) and G.S. 143-215.1(c2).
- ~~(5)~~ (6) The total number of points available in the respective categories shall be deemed adjusted in accordance with the provisions of subdivisions (1) through (4) (5) of this subsection.
- (c) Assignment of Priority. -- A written statement relative to each priority assigned shall be prepared by the receiving agency and shall be attached to the application. The priority assigned shall be conclusive.
- (d) Failure to Qualify. -- Any application filed under G.S. 159G-5(c), G.S. 159G-6(b) or G.S. 159G-6(c) that does not qualify for a revolving loan or grant as of the priority period in which the application was eligible for consideration by reason of the priority assigned the application shall be considered for a revolving loan or grant during the next succeeding priority period upon request of the applicant. If such application should again fail to

qualify for a revolving loan or grant during the second priority period by reason of the priority assigned, the application shall receive no further consideration. An applicant may file a new application at any time, and may amend any pending application to include additional data or information.

(e) Land-Use Plan. -- Local government units are encouraged to adopt comprehensive land-use plans. The Division of Community Assistance in the Department of Commerce shall, upon request, provide technical assistance to any economically distressed local government unit in preparing a comprehensive land-use plan. A comprehensive land-use plan that meets the requirements of Article 18 of Chapter 153A of the General Statutes or Article 19 of Chapter 160A of the General Statutes shall contain reasonable provisions designed to protect existing water uses and assure compliance with water quality standards and classifications in all waters of the State affected by the land-use plan."

Section 5.2. G.S. 159G-3 is amended by adding a new subdivision to read:

"(7a) 'Economically distressed local government unit' means a local government unit located, in whole or in part, in a county designated as economically distressed by the Secretary of Commerce under G.S. 143B-437A."

PART VI. NITROGEN AND PHOSPHOROUS LIMITS FOR SURFACE WATERS

Section 6.1. G.S. 143-215.1 is amended by adding five new subsections to read:

"(c1) Any person who is required to obtain an individual wastewater permit under this section for a facility discharging to the surface waters of the State that have been classified as nutrient sensitive waters (NSW) under rules adopted by the Commission shall not discharge more than an average annual mass load of total nitrogen than would result from a discharge of the permitted flow, determined at the time the Commission makes a finding that those waters are experiencing or are subject to excessive growth of microscopic or macroscopic vegetation, having a total nitrogen concentration of five and one-half milligrams of nitrogen per liter (5.5 mg/l). The total nitrogen concentration of 5.5 mg/l for nutrient sensitive waters required by this subsection applies only to:

- (1) Facilities that were placed into operation prior to 1 July 1997 or for which an authorization to construct was issued prior to 1 July 1997 and that have a design capacity to discharge 500,000 gallons per day or more.
- (2) Facilities for which an authorization to construct is issued on or after 1 July 1997.

(c2) Any person who is required to obtain an individual wastewater permit under this section for a facility discharging to the surface waters of the State that have been classified as nutrient sensitive waters (NSW) under rules adopted by the Commission where phosphorous is designated by the Commission as a nutrient of concern shall not discharge more than an average annual mass load of total phosphorous than would result from a discharge of the permitted flow, determined at the time the Commission makes a finding that those waters are experiencing or are subject to excessive growth of microscopic or macroscopic vegetation, having a total phosphorous concentration of two milligrams of phosphorous per liter (2.0 mg/l). The total phosphorous concentration of 2.0 mg/l for nutrient sensitive waters required by this subsection applies only to:

- (1) Facilities that were placed into operation prior to 1 July 1997 or for which an authorization to construct was issued prior to 1 July 1997 and that have a design capacity to discharge 500,000 gallons per day or more.
- (2) Facilities for which an authorization to construct is issued on or after 1 July 1997.

(c3) A person to whom subsection (c1) or (c2) of this section applies may meet the limits established under those subsections either individually or on the basis of a cooperative agreement with other persons who hold individual wastewater permits if the cooperative agreement is approved by the Commission. A person to whom subsection (c1) or (c2) of this section applies whose agreement to accept wastewater from another wastewater treatment facility that discharges into the same water body and that results in the elimination of the discharge from that wastewater treatment facility shall be allowed to increase the average annual mass load of total nitrogen and total phosphorous that person discharges by the average annual mass load of total nitrogen and total phosphorous of the wastewater treatment facility that is eliminated. If the wastewater treatment facility that is eliminated has a permitted flow of less than 500,000 gallons per day, the average annual mass load of total nitrogen or phosphorous shall be calculated from the most recent available data. A person to whom this subsection applies shall comply with nitrogen and phosphorous discharge monitoring requirements established by the Commission. This average annual load of nitrogen or phosphorous shall be assigned to the wastewater discharge allocation of the wastewater treatment facility that accepts the wastewater.

(c4) A person to whom subsection (c1) of this section applies may request the Commission to approve a total nitrogen concentration greater than that set out in subsection (c1) of this section at a decreased permitted flow so long as the average annual mass load of total nitrogen is equal to or is less than that required under subsection (c1) of this section. A person to

whom subsection (c2) of this section applies may request the Commission to approve a total phosphorous concentration greater than that set out in subsection (c2) of this section at a decreased permitted flow so long as the average annual mass load of total phosphorous is equal to or is less than that required under subsection (c2) of this section. If, after any 12-month period following approval of a greater concentration at a decreased permitted flow, the Commission finds that the greater concentration at a decreased permitted flow does not result in an average annual mass load of total nitrogen or total phosphorous equal to or less than those that would be achieved under subsections (c1) and (c2) of this section, the Commission shall rescind its approval of the greater concentration at a decreased permitted flow and the requirements of subsections (c1) and (c2) of this section shall apply.

(c5) For surface waters to which the limits set out in subsection (c1) or (c2) of this section apply and for which a calibrated nutrient response model that meets the requirements of this subsection has been approved by the Commission, mass load limits for total nitrogen or total phosphorous shall be based on the results of the nutrient response model. A calibrated nutrient response model shall be developed and maintained with current data, be capable of predicting the impact of nitrogen or phosphorous in the surface waters, and incorporated into nutrient management plans by the Commission. The maximum mass load for total nitrogen or total phosphorous established by the Commission shall be substantiated by the model and may require individual discharges to be limited at concentrations that are different than those set out in subsection (c1) or (c2) of this section. A calibrated nutrient response model shall be developed by the Department in conjunction with the affected parties and is subject to approval by the Commission."

Section 6.2. G.S. 143-215.6A(a) is amended by adding a new subdivision to read:

"(10) Violates subsections (c1) through (c5) of G.S. 143-215.1 or a rule adopted pursuant to subsections (c1) through (c5) of G.S. 143-215.1."

Section 6.3. By 1 November 1997, the Environmental Management Commission shall develop a schedule of dates between 1 January 1998 and 1 January 2003, by which existing facilities must comply with G.S. 143-215.1(c1) and G.S. 143-215.1(c2), as enacted by Section 6.1 of this act. The schedule of compliance dates shall follow as closely as possible the dates on which permits for existing facilities must be renewed. New facilities and expansions of existing facilities for which an application for a permit is received by the Department of Environment, Health, and Natural Resources on behalf of the Environmental Management

Commission prior to the date this act becomes effective shall be treated as existing facilities.

Section 6.4. G.S. 143-215.1(c5), as enacted by Section 6.1 of this act, shall not be construed to invalidate any limit established by the Environmental Management Commission prior to the date this act becomes effective. A limit established by the Environmental Management Commission prior to the date this act becomes effective may be altered pursuant to a calibrated nutrient response model approved by the Commission in accordance with G.S. 143-215.1(c5), as enacted by Section 6.1 of this act.

PART VII. STORMWATER MANAGEMENT

Section 7.1. G.S. 143-214.7 reads as rewritten:

"§ 143-214.7. Stormwater runoff rules and programs.

(a) Policy, Purpose and Intent. -- The Commission shall undertake a continuing planning process to develop and adopt a statewide plan with regard to establishing and enforcing stormwater rules for the purpose of protecting the surface waters of the State. It is the purpose and intent of this section that, in developing stormwater runoff rules and programs, the Commission may utilize stormwater rules established by the Commission to protect classified shellfish waters, water supply watersheds, and outstanding resource waters; and to control stormwater runoff disposal in coastal counties and other nonpoint sources. Further, it is the intent of this section that the Commission phase in the stormwater rules on a priority basis for all sources of pollution to the water. The plan shall be applied evenhandedly throughout the State to address the State's water quality needs. The Commission shall continually monitor water quality in the State and shall revise stormwater runoff rules as necessary to protect water quality. As necessary, the stormwater rules shall be modified to comply with federal regulations.

(b) The Commission shall ~~be authorized and directed to~~ implement stormwater runoff rules and programs for point and nonpoint sources on a phased-in statewide basis. The Commission shall consider standards and best management practices for the protection of the State's water resources in the following order of priority:

- (1) Classified shellfish ~~waters;~~ waters.
- (2) Water supply ~~watersheds;~~ watersheds.
- (3) Outstanding resource ~~waters;~~ waters.
- (4) High quality ~~waters; and~~ waters.
- (5) ~~Other waters where~~ All other waters of the State to the extent that the Commission finds control of stormwater is needed to meet the purposes of this Article. Provided

however, that prior to implementation of rules under this subdivision (5), the Commission shall consult with the Environmental Review Commission.

(c) ~~Chapter 150B of the General Statutes governs adoption of rules by the Commission.~~ The Commission shall develop model stormwater management programs that may be implemented by State agencies and units of local government. Model stormwater management programs shall be developed to protect existing water uses and assure compliance with water quality standards and classifications. A State agency or unit of local government may submit to the Commission for its approval a stormwater control program for implementation within its jurisdiction. To this end, State agencies may adopt rules, and units of local government are authorized to adopt ordinances and regulations necessary to establish and enforce stormwater control programs. Units of local government are authorized to create or designate agencies or subdivisions to administer and enforce the programs. Two or more units of local government are authorized to establish a joint program and to enter into any agreements that are necessary for the proper administration and enforcement of the program.

(d) The Commission shall review each stormwater management program submitted by a State agency or unit of local government and shall notify the State agency or unit of local government that submitted the program that the program has been approved, approved with modifications, or disapproved. The Commission shall approve a program only if it finds that the standards of the program equal or exceed those of the model program adopted by the Commission pursuant to this section.

(e) The Commission shall annually report to the Environmental Review Commission on the implementation of this section, including the status of any stormwater control programs administered by State agencies and units of local government, on or before 1 October of each year."

Section 7.2. The Environmental Management Commission shall make the first annual report required by G.S. 143-214.7(e), as enacted by Section 7.1 of this act, on or before 1 October 1998.

Section 7.3. The Department of Transportation shall work diligently and in full cooperation with the Division of Water Quality of the Department of Environment, Health, and Natural Resources, using whatever resources may be necessary, to complete the development of a statewide stormwater management permit under the National Pollutant Discharge Elimination System (NPDES). The General Assembly intends that this permit govern all programs administered by the Department of Transportation and that the permit will be issued no later than 1 October 1997. The Department of Transportation and the Division of Water Quality shall jointly report to the Environmental Review Commission as to their

progress in meeting the mandate of this section no later than 1 October 1997.

PART VIII. COMPLETION OF BASINWIDE WATER QUALITY MANAGEMENT PLANS FOR EACH OF THE STATE'S SEVENTEEN RIVER BASINS; ADDITIONAL REQUIREMENTS FOR BASINWIDE WATER QUALITY MANAGEMENT PLANS; ADOPTION OF TOTAL MAXIMUM DAILY LOADS FOR EACH RIVER BASIN

Section 8.1. The General Assembly makes the following findings:

- (1) There are 17 major river basins in the State.
- (2) Many activities occur in the vicinity of each of these river basins, and the activities and conditions in one river basin may vary greatly from those in another river basin.
- (3) The public is focusing on the swine industry's role in degrading water quality, but, in fact, numerous other industries and even private citizens are responsible for contributing pollutants to the waters of the State. Among the point source and nonpoint sources of pollutants in our State's waters are: municipal wastewater facilities, industrial wastewater systems, septic tank systems, stormwater management systems, golf courses, farms that use fertilizers and pesticides for crops, public and commercial lawns and gardens, and atmospheric deposition, as well as animal operations.
- (4) The best and most effective approach to protecting and improving water quality is a comprehensive, systemwide management approach.
- (5) Basinwide water quality management is an approach already being taken by the Department of Environment, Health, and Natural Resources to improve the efficiency, effectiveness, and consistency of its water quality protection program. It is not a new regulatory program; it is a watershed-based approach that provides for basinwide permitting and integration of point and nonpoint source controls through existing regulatory and cooperative programs. The Neuse River Basinwide Management Plan has already been released. Seventeen basinwide plans are planned to be prepared by the Department over the next five years.

- (6) The better solution to improving water quality lies not in abandoning efforts under way in an effort to find a new solution, but to accelerate effective efforts currently in progress by establishing a deadline for completing, and expediting the implementation of, the 17 comprehensive conservation and management plans for each major river basin in the State.
- (7) The public should be informed of the complexity of the problems regarding water quality so that the public can appreciate the effectiveness of a systemwide approach and the degree of effort that has already been expended to address these problems. Public involvement should be encouraged, and public education should be enhanced.

Section 8.2. Part 1 of Article 21 of Chapter 143 of the General Statutes is amended by adding a new section to read:

"§ 143-215.8B. Basinwide water quality management plans.

(a) The Commission shall develop and implement a basinwide water quality management plan for each of the 17 major river basins in the State. In developing and implementing each plan, the Commission shall consider the cumulative impacts of all activities across a river basin and all point sources and nonpoint sources of pollutants, including municipal wastewater facilities, industrial wastewater systems, septic tank systems, stormwater management systems, golf courses, farms that use fertilizers and pesticides for crops, public and commercial lawns and gardens, atmospheric deposition, and animal operations.

(b) Each basinwide water quality management plan shall:

- (1) Provide that all point sources and nonpoint sources of pollutants jointly share the responsibility of reducing the pollutants in the State's waters in a fair, reasonable, and proportionate manner, using computer modeling and the best science and technology reasonably available and considering future anticipated population growth and economic development.
- (2) If any of the waters located within the river basin are designated as nutrient sensitive waters, then the basinwide water quality management plan shall establish a goal to reduce the average annual mass load of nutrients that are delivered to surface waters within the river basin from point and nonpoint sources. The Commission shall establish a nutrient reduction goal for the nutrient or nutrients of concern that will result in improvements to water quality such that the designated uses of the water,

as provided in the classification of the water under G.S. 143-214.1(d), are not impaired. The plan shall require that incremental progress toward achieving the goal be demonstrated each year. The Commission shall develop a five-year plan to achieve the goal. In developing the plan, the Commission shall determine and allow appropriate credit toward achieving the goal for reductions of water pollution by point and nonpoint sources through voluntary measures.

(c) The Commission shall review and revise its 17 basinwide water quality management plans at least every five years to reflect changes in water quality, improvements in modeling methods, improvements in wastewater treatment technology, and advances in scientific knowledge and, as need to support designated uses of water, modifications to management strategies.

(d) The Commission and the Department shall each report on or before 1 October of each year on an annual basis to the Environmental Review Commission on the progress in developing and implementing basinwide water quality management plans and on increasing public involvement and public education in connection with basinwide water quality management planning. The report to the Environmental Review Commission by the Department shall include a written statement as to all concentrations of heavy metals and other pollutants in the surface waters of the State that are identified in the course of preparing or revising the basinwide water quality management plans.

(e) A basinwide water quality management plan is not a rule and Article 2A of Chapter 150B of the General Statutes does not apply to the development of basinwide water quality management plans. Any water quality standard or classification and any requirement or limitation of general applicability that implements a basinwide water quality management plan is a rule and must be adopted as provided in Article 2A of Chapter 150B of the General Statutes."

Section 8.3. The Environmental Management Commission shall increase its current efforts to involve the public in the development and implementation of the basinwide water quality management plans, including conducting public meetings throughout the State. The Department of Environment, Health, and Natural Resources shall increase public education efforts to inform the public of the complexity of the problems related to water quality, the benefits of taking a comprehensive, systemwide approach to water quality improvement, and the need for all point and nonpoint sources of pollutants to have an active role in reducing pollutants, either by reducing the amount of pollutants used or by improving the treatment and disposal of wastewater, or both. The

Department shall provide information to keep the public well-informed of water quality issues in the State.

Section 8.4. G.S. 143B-282 is amended by adding two new subsections to read:

"(c) The Environmental Management Commission shall implement the provisions of subsections (d) and (e) of 33 U.S.C. § 1313 by identifying and prioritizing impaired waters and by developing appropriate total maximum daily loads of pollutants for those impaired waters. The Commission shall incorporate those total maximum daily loads approved by the United States Environmental Protection Agency into its continuing basinwide water quality planning process.

(d) The Environmental Management Commission may adopt rules setting out strategies necessary for assuring that water quality standards are met by any point or nonpoint source or by any category of point or nonpoint sources that is determined by the Commission to be contributing to the water quality impairment. These strategies may include, but are not limited to, additional monitoring, effluent limitations, supplemental standards or classifications, best management practices, protective buffers, schedules of compliance, and the establishment of and delegations to intergovernmental basinwide groups."

Section 8.5. G.S. 143B-282(a)(2) is amended by adding a new sub-subdivision to read:

"k. To implement basinwide water quality management plans developed pursuant to G.S. 143-215.8B."

Section 8.6. The Environmental Management Commission may adopt rules to implement this Part as provided in Article 2A of Chapter 150B of the General Statutes. The Environmental Management Commission shall not adopt a temporary rule to implement this Part. The Environmental Management Commission shall report on its progress in implementing this Part as a part of each quarterly report the Environmental Management Commission makes to the Environmental Review Commission pursuant to G.S. 143B-282(b).

Section 8.7. The enactment of G.S. 143-215.8B by Section 8.2 shall not be construed to invalidate the development and implementation of basinwide water quality management plans by the Environmental Management Commission and the Department of Environment, Health, and Natural Resources that has occurred prior to the date this act becomes effective.

PART IX. CLARIFICATION THAT THE ENVIRONMENTAL MANAGEMENT COMMISSION MAY REQUIRE INDIVIDUAL AS WELL AS GENERAL PERMITS FOR ANIMAL WASTE MANAGEMENT SYSTEMS

Section 9.1. G.S. 143-215.1(a)(12) reads as rewritten:

"(12) Construct or operate an animal waste management system, as defined in G.S. 143-215.10B, without obtaining a permit under either this Part or Part 1A of this Article."

Section 9.2. G.S. 143-215.10C(a) reads as rewritten:

"(a) No person shall construct or operate an animal waste management system for an animal operation without first obtaining an individual permit under Part 1 of this Article or a general permit under this Part. The Commission shall develop a system of individual and general permits for animal operations based on species, number of animals, and other relevant factors. It is the intent of the General Assembly that most animal waste management systems be permitted under a general permit issued under this Part. The Commission, in its discretion, may require that an animal waste management system be permitted under an individual permit issued under Part 1 of this Article if the Commission determines that an individual permit is necessary to protect water quality, public health, or the environment."

PART X. GRADUATED VIOLATION POINTS SYSTEM FOR SWINE OPERATORS; STUDY OF SWINE INTEGRATORS CIVIL PENALTY LIABILITY

Section 10.1. Part 1 of Article 21 of Chapter 143 of the General Statutes is amended by adding a new section to read:

"§ 143-215.6E. Violation Points System applicable to swine farms.

(a) The Commission shall develop a Violation Points System applicable to permits for animal waste management systems for swine farms. This system shall operate in addition to the provisions of G.S. 143-215.6A. This system shall not alter the authority of the Commission to revoke a permit for an animal waste management system for a swine farm. The Violation Points System shall provide that:

- (1) Violations that involve the greatest harm to the natural resources of the State, the groundwater or surface water quantity or quality, public health, or the environment shall receive the most points and shall be considered significant violations.
- (2) Violations that are committed willfully or intentionally shall be considered significant violations.
- (3) The number of points received shall be directly related to the degree of negligence or willfulness.
- (4) The commission of three significant violations, or the commission of lesser violations that result in a predetermined cumulative number of points, within a

limited period of time of not less than five years shall result in the mandatory revocation of a permit.

- (5) The commission of one willful violation that results in serious harm may result in the revocation of a permit.

(b) In developing the Violation Points System under this section, the Commission shall determine the:

- (1) Number of points that lesser violations must cumulatively total to result in the revocation of a permit.
- (2) Limited period of time during which the commission of three significant violations, or the commission of a greater number of lesser violations, will result in the revocation of the operator's permit. This limited period of time shall not be less than five years.
- (3) Duration of the permit revocation.
- (4) Conditions under which the person whose permit is revoked may reapply for another permit for an animal waste management system for a swine farm.

(c) In developing the Violation Points System under this section, the Commission shall provide for an appeals process."

Section 10.2. (a) The Department of Environment, Health, and Natural Resources shall develop a recommended system of civil penalties applicable to integrators of swine operations. These civil penalties shall be imposed upon the revocation of a permit of an operator under contract with that integrator for the production of swine at the time the violation that resulted in the revocation of the operator's permit occurred, whether or not that operator was under contract with that integrator throughout the period of time all the violations that contributed to this permit revocation occurred. In conjunction with developing this system of civil penalties for integrators of swine operations, the Environmental Management Commission shall provide that the Director of the Division of Water Quality of the Department of Environment, Health, and Natural Resources notify all integrators of all violations assessed against operators who are under contract for the production of swine with that integrator and, upon the written request by the integrator, notify that integrator of all violations assessed an operator with whom the integrator contemplates entering into a contract. The Environmental Management Commission shall also study the issue of liability for cleanup costs and appropriate penalties for integrators of swine operations if an operator commits a willful, wanton, or grossly negligent violation that results in significant environmental damage.

(b) No later than 1 March 1998, the Department of Environment, Health, and Natural Resources shall report its findings and recommendations, including legislative proposals, if any, on the issues to be studied under subsection (a) of this section. This report shall include a

recommended system of civil penalties applicable to integrators of swine operations for violations by growers who are under contract with that integrator for the production of swine. The Environmental Review Commission shall determine whether to submit a legislative proposal based upon this recommended system to the 1997 General Assembly, 1998 Regular Session.

PART XI. STATE BUREAU OF INVESTIGATION REVIEW OF WASTE DISCHARGE VIOLATIONS AS POSSIBLE FELONIES; ADDITIONAL REQUIREMENTS FOR DEMONSTRATION OF FINANCIAL QUALIFICATION BY CERTAIN PERMIT APPLICANTS

Section 11.1. G.S. 143-215.6B is amended by adding a new subsection to read:

"(k) The Secretary shall refer to the State Bureau of Investigation for review any discharge of waste by any person or facility in any manner that violates this Article or rules adopted pursuant to this Article that involves the possible commission of a felony. Upon receipt of a referral under this section, the State Bureau of Investigation may conduct an investigation and, if appropriate, refer the matter to the district attorney in whose jurisdiction any criminal offense has occurred. This subsection shall not be construed to limit the authority of the Secretary to refer any matter to the State Bureau of Investigation for review."

Section 11.2. G.S. 143-215.1(b) reads as rewritten:

"(b) Commission's Power as to Permits. --

- (1) The Commission shall act on all permits so as to prevent, so far as reasonably possible, considering relevant standards under State and federal laws, any significant increase in pollution of the waters of the State from any new or enlarged sources. No permit shall be denied and no condition shall be attached to the permit, except when the Commission finds such denial or such conditions necessary to effectuate the purposes of this Article.
- (2) The Commission shall also act on all permits so as to prevent violation of water quality standards due to the cumulative effects of permit decisions. Cumulative effects are impacts attributable to the collective effects of a number of projects and include the effects of additional projects similar to the requested permit in areas available for development in the vicinity. All permit decisions shall require that the practicable waste

treatment and disposal alternative with the least adverse impact on the environment be utilized.

(3) General permits may be issued under rules adopted pursuant to Chapter 150B of the General Statutes. Such rules may provide that minor activities may occur under a general permit issued in accordance with conditions set out in such rules. All persons covered under general permits shall be subject to all enforcement procedures and remedies applicable under this Article.

(4) The Commission shall have the power:

a. To grant a permit with such conditions attached as the Commission believes necessary to achieve the purposes of this Article.

b. To require that an applicant satisfy the Department that the applicant, or any parent, subsidiary, or other affiliate of the applicant or parent:

1. Is financially qualified to carry out the activity for which the permit is required under subsection (a) of this section; and

2. Has substantially complied with the effluent standards and limitations and waste management treatment practices applicable to any activity in which the applicant has previously engaged, and has been in substantial compliance with other federal and state laws, regulations, and rules for the protection of the environment.

3. As used in this subdivision, the words 'affiliate,' 'parent,' and 'subsidiary' have the same meaning as in 17 Code of Federal Regulations § 240.12b-2 (1 April 1990 Edition).

4. For a privately owned treatment works that serves 15 or more service connections or that regularly serves 25 or more individuals, financial qualification may be demonstrated through the use of a letter of credit, insurance, surety, trust agreement, financial test, bond, or a guarantee by corporate parents or third parties who can pass the financial test. No permit shall be issued under this section for a privately owned treatment works that serves 15 or more

service connections or that regularly serves 25 or more individuals, until financial qualification is established and the issuance of the permit shall be contingent on the continuance of the financial qualification for the duration of the activity for which the permit was issued.

- c. To modify or revoke any permit upon not less than 60 days' written notice to any person affected.
- d. To designate certain classes of minor activities for which a general permit may be issued, after considering:
 1. The environmental impact of the activities;
 2. How often the activities are carried out;
 3. The need for individual permit oversight; and
 4. The need for public review and comment on individual permits.
- e. To designate certain classes of minor activities for which:
 1. Performance conditions may be established by rule; and
 2. Individual or general permits are not required."

PART XII. ADDITIONAL STUDIES

Section 12.1. The Environmental Review Commission shall study the feasibility and the desirability of requiring persons who apply fertilizers or other soil-enriching nutrients onto land to be certified under a certification program that requires training and passing an examination. In conjunction with this study, the Environmental Review Commission shall consider the amounts of fertilizers and pesticides used on public roadways, at public parks and recreation areas, at commercial properties, at churches, at athletic fields and schools, near airstrips at airports, on golf courses, and on residential lawns and gardens that are maintained by commercial lawn services as well as those that are maintained by the residential dweller. During this study, the Department of Transportation shall report to the Environmental Review Commission the amounts of fertilizers and pesticides that it uses to maintain turfgrass, ornamental plantings, and trees along the State roadways. The Environmental Review Commission shall submit its legislative recommendations, if any, resulting from this study to the 1997 General Assembly, 1998 Regular Session.

Section 12.2. The Department of Agriculture shall submit the next North Carolina Turfgrass Survey to the Environmental Review Commission no later than one month after the survey is published.

Section 12.3. The Environmental Review Commission shall study the development of guidelines for best management practices for golf courses. The study shall address golf course planning, siting, design, construction, maintenance, and operation in relation to water usage; stormwater runoff; use of fertilizers, pesticides, and herbicides; waste management; and any other matters necessary to protect water quality, public health, and the environment. The Environmental Review Commission shall submit its legislative recommendations, if any, resulting from this study to the 1997 General Assembly, 1998 Regular Session.

Section 12.4. (a) The Department of Agriculture shall develop a plan to phase out the use of anaerobic lagoons and sprayfields as primary methods of disposing of animal waste at swine farms.

(b) In developing the plan under subsection (a) of this section, the Department of Agriculture shall consider the feasibility of phasing in the use of solid waste management systems and aerobic wastewater management systems to treat and dispose of animal waste at swine farms, including, without limitation, package treatment plants, closed-loop systems, and central waste disposal facilities that serve multiple swine farms.

(c) No later than 1 May 1998, the Department of Agriculture shall present the plan developed under this section in a written report to the 1998 Regular Session of the 1997 General Assembly and to the Environmental Review Commission.

Section 12.5. The Utilities Commission, the Local Government Commission, and the Environmental Management Commission, with the assistance of other State agencies, shall jointly study issues relating to publically owned treatment works that persistently fail to comply with Article 21 of Chapter 143 of the General Statutes, rules adopted pursuant to that Article, or other federal and State laws, regulations, and rules for the protection of public health and the environment. The Commissions shall make a specific finding as to whether a State agency should assume control of a persistently noncomplying treatment works and, if so, how the State agency would assume control and operate the treatment works. The Utilities Commission, the Local Government Commission, and the Environmental Management Commission shall jointly present their findings and recommendations, including any legislative proposals, to the 1998 Regular Session of the 1997 General Assembly.

PART XIII. MISCELLANEOUS PROVISIONS; EFFECTIVE DATES

Section 13.1. G.S. 143-215(e) is repealed.

Section 13.2. The headings to the Parts of this act are a convenience to the reader and are for reference only. The headings do not expand, limit, or define the text of this act.

Section 13.3. If any section or provision of this act is declared unconstitutional or invalid by the courts, the unconstitutional or invalid section or provision does not affect the validity of this act as a whole or any part of this act other than the part declared to be unconstitutional or invalid.

Section 13.4. (a) G.S. 143-215.8B, as enacted by Section 8.2 of this act, becomes effective when this act becomes law, except that G.S. 143-215.8B(b) becomes effective 1 January 1998.

(b) Part IX of this act is effective retroactively as of 1 January 1997.

(c) Section 11.2 of this act becomes effective 1 January 1998.

(d) Except as otherwise provided, each section of this act is effective when it becomes law.

CONFERENCE COMMITTEE SUBSTITUTE FOR HOUSE BILL 699

PCCS 2372, A BILL TO BE ENTITLED AN ACT TO GRANT AUTHORITY TO THE CITY OF GREENVILLE AND THE TOWNS OF BETHEL, FARMVILLE, AND NEWPORT TO ADDRESS ABANDONED STRUCTURES IN THE SAME MANNER AS MUNICIPALITIES IN COUNTIES WITH A POPULATION OF OVER ONE HUNDRED SIXTY-THREE THOUSAND.

The General Assembly of North Carolina enacts:

Section 1. Section 2 of Chapter 733 of the 1995 Session Laws, as amended by S.L. 1997-101, reads as rewritten:

"Sec. 2. This act applies to the Cities of Greenville, Lumberton, Lumberton, and Roanoke Rapids and the Towns of Bethel, Farmville, and Newport only."

Section 2. This act is effective when it becomes law.

**CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE BILL 143**

PCCS 2806, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS PROHIBITING THE SALE OR PURCHASE OF TOBACCO PRODUCTS TO PERSONS LESS THAN EIGHTEEN YEARS OF AGE AND TO REQUIRE THAT CERTAIN PERSONS BE TRAINED REGARDING THESE LAWS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 14-313(a) reads as rewritten:

"(a) Definitions. -- The following definitions apply in this section:

- (1) Distribute. -- To sell, furnish, give, or provide tobacco products, including tobacco product samples, or cigarette wrapping papers to the ultimate consumer.
- (2) Proof of age. -- A drivers license or other ~~documentary or written evidence~~ photographic identification that includes the bearer's date of birth that purports to establish that the person is 18 years of age or older.
- (3) Sample. -- A tobacco product distributed to members of the general public at no cost for the purpose of promoting the product.
- (4) Tobacco product. -- Any product that contains tobacco and is intended for human consumption."

Section 2. G.S. 14-313(b) reads as rewritten:

"(b) Sale or distribution to persons under the age of 18 years. -- If any person shall ~~knowingly~~ distribute, or ~~knowingly~~ aid, assist, or abet any other person in distributing tobacco products or cigarette wrapping papers to any person under the age of 18 years, or if any person shall ~~knowingly~~ purchase tobacco products or cigarette wrapping papers on behalf of a person, less than 18 years, the person shall be guilty of a Class 2 misdemeanor; provided, however, that it shall not be unlawful to distribute tobacco products or cigarette wrapping papers to an employee when required in the performance of the employee's duties. Retail distributors of tobacco products shall prominently display near the point of sale a sign in letters at least five-eighths of an inch high which states the following:

N.C. LAW STRICTLY PROHIBITS
THE PURCHASE OF TOBACCO PRODUCTS
BY PERSONS UNDER THE AGE OF 18.
PROOF OF AGE REQUIRED.

Failure to post the required sign shall be an infraction punishable by a fine of twenty-five dollars (\$25.00) for the first offense and seventy-five dollars (\$75.00) for each succeeding offense.

A person engaged in the sale of tobacco products shall demand proof of age from a prospective purchaser if the person has reasonable grounds to believe that the prospective purchaser is under 18 years of age. Failure to demand proof of age as required by this subsection is a Class 2 ~~misdemeanor~~. misdemeanor if in fact the prospective purchaser is under 18 years of age. Proof that the defendant demanded, was shown, and reasonably relied upon proof of age in the case of a retailer, or any other documentary or written evidence of age in the case of a nonretailer, shall be a defense to any action brought under this subsection. Retail distributors of tobacco products shall train their sales employees in the requirements of this law."

Section 3. G.S. 14-313(c) reads as rewritten:

"(c) Purchase by persons under the age of 18 years. -- If any person under the age of 18 years purchases or accepts receipt, or attempts to purchase or accept receipt, of tobacco products or cigarette wrapping papers, or presents or offers to any person any purported proof of age which is false, fraudulent, or not actually his or her own, for the purpose of purchasing or receiving any tobacco ~~product~~, product or cigarette wrapping papers, the person shall be guilty of ~~an infraction as provided in G.S. 14-3-1~~, a Class 2 misdemeanor."

Section 4. G.S. 14-313(d) reads as rewritten:

"(d) Send or assist person less than 18 years to purchase or receive tobacco product. -- If any person shall ~~knowingly send or assist~~ a person less than 18 years of age to purchase, acquire, receive, or attempt to purchase, acquire, or receive tobacco products or cigarette wrapping papers, or if any person shall aid or abet a person who is less than 18 years of age in purchasing, acquiring, or receiving or attempting to purchase, acquire, or receive tobacco products or cigarette wrapping papers, the person shall be guilty of a Class 2 misdemeanor; provided, however, persons under the age of 18 may be enlisted by police or local sheriffs' departments to test compliance if the testing is under the direct supervision of that law enforcement department and written parental consent is provided; provided further, that the Department of Human Resources shall have the authority, pursuant to a written plan prepared by the Secretary of Human Resources, to use persons under 18 years of age in annual, random, unannounced inspections, provided that prior written parental consent is given for the involvement of these persons and that the inspections are conducted for the sole purpose of preparing a scientifically and methodologically valid statistical study of the extent of success the State has achieved in reducing the availability of tobacco products to persons under the age of 18, and preparing any report to the extent required by section 1926 of the federal Public Health Service Act (42 USC § 300x-26)."

Section 5. G.S. 14-313 is amended by adding a new subsection to read:

"(b1) Vending machines. -- Tobacco products shall not be distributed in vending machines; provided, however, vending machines distributing tobacco products are permitted (i) in any establishment which is open only to persons 18 years of age and older; or (ii) in any establishment if the vending machine is under the continuous control of the owner or licensee of the premises or an employee thereof and can be operated only upon activation by the owner, licensee, or employee prior to each purchase and the vending machine is not accessible to the public when the establishment is closed. The owner, licensee, or employee shall demand proof of age from a prospective purchaser if the person has reasonable grounds to believe that the prospective purchaser is under 18 years of age. Failure to demand proof of age as required by this subsection is a Class 2 misdemeanor if in fact the prospective purchaser is under 18 years of age. Proof that the defendant demanded, was shown, and reasonably relied upon proof of age shall be a defense to any action brought under this subsection. Vending machines distributing tobacco products in establishments not meeting the above conditions shall be removed prior to December 1, 1997. Any person distributing tobacco products through vending machines in violation of this subsection shall be guilty of a Class 2 misdemeanor."

Section 6. G.S. 14-313 is amended by adding a new subsection to read:

"(f) Deferred prosecution. -- Notwithstanding G.S. 15A-1341(a1), any person charged with a misdemeanor under this section shall be qualified for deferred prosecution pursuant to Article 82 of Chapter 15A of the General Statutes provided the defendant has not previously been placed on probation for a violation of this section and so states under oath."

Section 7. This act becomes effective December 1, 1997, and applies to offenses committed on or after that date.

CONFERENCE COMMITTEE SUBSTITUTE FOR SENATE BILL 272

PCCS 4616, A BILL TO BE ENTITLED AN ACT TO ENACT THE EXCELLENT SCHOOLS ACT.

The General Assembly of North Carolina enacts:

Section 1. This act shall be known as "The Excellent Schools Act".

An outline of the provisions of the act follows this section. The outline shows the heading "**CONTENTS/INDEX**", and it lists by general category the descriptive captions for the various sections and groups of sections that make up the act. This outline is designed for reference only, and it in no way limits, defines, or prescribes the scope or application of the text of the act.

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I. PURPOSE OF THE EXCELLENT SCHOOLS ACT

Section 2. The purpose of The Excellent Schools Act is to improve student academic achievement and to reduce teacher attrition. To accomplish this purpose, it is the goal of the General Assembly to: (i) concentrate student learning in the core academic areas; (ii) improve teacher skills and teacher knowledge as those skills and knowledge relate to improved student academic achievement; and (iii) reward teachers for their improved skills and knowledge and for improved student academic achievement. It is also the goal of the General Assembly to annually review the implementation of the revised and more rigorous teacher preparation, professional development, and certification standards developed by the State Board of Education in compliance with this act. Clear and specific evidence demonstrating identifiable progress toward implementing more rigorous teacher professional standards must exist on an annual basis before the General Assembly may consider continued implementation of this act.

II. EFFORTS TO RAISE STUDENT PERFORMANCE STANDARDS

Section 3. (a) Part 3 of Article 8B of Chapter 115C of the General Statutes is amended by adding the following new section to read:

"§ 115C-105.38A. Teacher competency assurance.

(a) General Knowledge Test. -- The State Board of Education shall require all certified staff members working in schools at the time the schools are identified as low-performing under this Article and to which the State Board has assigned an assistance team to demonstrate their general knowledge by acquiring a passing score on a test designated by the State Board. The first general knowledge test shall be administered at the end of the 1997-98 school year. In subsequent years, the State Board shall determine when to administer the test for certified staff members in schools that are identified that year as low-performing and assigned an assistance team.

(b) Exemptions. -- The following certified staff members shall be exempt from taking the general knowledge test required under subsection (a) of this section.

(1) Certified staff members who have:

- a. Taken and passed the PRAXIS I exam as a condition of entry into a school of education; and
- b. Taken and passed the PRAXIS II exam after July 1, 1996.

(2) Certified staff members who have previously taken and passed the general knowledge test.

The exemptions under this subsection shall expire July 1, 2000, unless the State Board adopts a policy to continue them.

(c) Remediation. -- Certified staff members who do not acquire a passing score on the general knowledge test shall engage in a remediation plan based upon the deficiencies identified by the test. The remediation plan for deficiencies of individual certified staff members shall consist of up to a semester of university or community college training or coursework or both. The remediation shall be developed by the State Board of Education in consultation with the Board of Governors of The University of North Carolina. The State Board shall reimburse the institution providing the remediation any tuition and fees incurred under this section. If the remediation plan requires that the staff member engage in a full-time course of study or training, the staff member shall be considered on leave with pay.

(d) Retesting. -- Upon completion of the first remediation plan, the certified staff member shall take the general knowledge test a second time. If the certified staff member fails to acquire a passing score on the second test, the State Board shall provide a program of further remediation under subsection (c) of this section.

(e) Dismissal. -- Upon completion of the second remediation plan, the certified staff member shall take the general knowledge test a third time. If the certified staff member fails to acquire a passing score on the third test, the State Board shall begin dismissal proceedings under G.S. 115C-325(q)(2a).

(f) Other Actions Not Precluded. -- Nothing in this section shall be construed to restrict or postpone the following actions:

- (1) The dismissal of a principal under G.S. 115C-325(q)(1);
- (2) The dismissal of a teacher, assistant principal, director, or supervisor under G.S. 115C-325(q)(2);
- (3) The dismissal or demotion of a career employee for any of the grounds listed under G.S. 115C-325(e);
- (4) The nonrenewal of a school administrator's or probationary teacher's contract of employment; or
- (5) The decision to grant career status.

(g) Future Testing. -- The State Board shall develop a plan for testing and shall test all certified staff members in low-performing schools identified at the end of the 1999-2000 school year. When developing the plan, the State Board shall consider administering tests in the area of an individual's certification as well as the general knowledge test. The State Board shall report this plan to the Joint Legislative Education Oversight Committee prior to November 15, 1998."

(b) The State Board of Education shall develop a plan to provide competent certified substitute teachers to teach in the classrooms of teachers who are required to be absent because they are participating in a remediation plan. The plan shall include a provision to use State funds to pay the substitute teachers according to the teacher salary schedule.

(c) The State Board of Education shall develop and implement a plan to provide for the remediation of teachers who have been identified as lacking competence in their areas of certification or lacking adequate classroom management skills. The remediation may include coursework, assignment to the classroom of another teacher, or other appropriate measures. The State Board shall report to the Joint Legislative Education Oversight Committee prior to February 15, 1999, on its progress in implementing this section.

(d) The State Board of Education shall develop a comprehensive plan to address any deficiencies identified in certified staff in low-performing schools. The plan shall include a study of the demographics and characteristics of students and teachers in low-performing schools assigned assistance teams, including teacher experience and whether teachers are teaching within their area of certification. The State Board shall report this plan to the Joint Legislative Education Oversight Committee by November 15, 1998.

(e) The State Board of Education shall develop a plan to create rigorous student academic performance standards for kindergarten through eighth grade and student academic performance standards for courses in grades 9-12. The performance standards shall align, whenever possible, with the student academic performance standards developed for the National Assessment of Educational Progress (NAEP). The plan also shall include clear and understandable methods of reporting individual student academic performance to parents.

(f) The State Board of Education shall report on the implementation of subsections (a) and (b) of this section to the Joint Legislative Education Oversight Committee as part of its required reports on the implementation of the School-Based Management and Accountability Program. The State Board of Education shall report to the Joint Legislative Education Oversight Committee by March 15, 1998, on the student performance standards and reports developed under subsection (e) of this section.

III. RIGOROUS STANDARDS FOR ENTERING THE TEACHING PROFESSION

A. ENHANCED STANDARDS FOR TEACHER PREPARATION PROGRAMS

Section 4. (a) G.S. 115C-296(b) reads as rewritten:

"(b) It is the policy of the State of North Carolina to maintain the highest quality teacher education programs and school administrator programs in order to enhance the competence of professional personnel certified in North Carolina. To the end that teacher preparation programs are upgraded to reflect a more rigorous course of study, the ~~State Board of Education shall submit to the General Assembly not later than November 1, 1994, a plan to promote this policy.~~ The State Board of Education, as lead agency in coordination and cooperation with the University Board of Governors, the Board of Community Colleges and such other public and private agencies as are necessary, shall continue to refine the several certification requirements, standards for approval of institutions of teacher education, standards for institution-based innovative and experimental programs, standards for implementing consortium-based teacher education, and standards for improved efficiencies in the administration of the approved programs.

The State Board of Education, as lead agency in coordination with the Board of Governors of The University of North Carolina and any other public and private agencies as necessary, shall continue to raise standards for entry into teacher education programs.

The standards for approval of institutions of teacher education shall require that teacher education programs for students who do not major in special education include courses demonstrated competencies in the identification and education of children with learning disabilities. The State Board of Education shall incorporate the criteria developed in accordance with G.S. 116-74.21 for assessing proposals under the School Administrator Training Program into its school administrator program approval standards.

All North Carolina institutions of higher education that offer teacher education programs, masters degree programs in education, or masters degree programs in school administration shall provide performance reports to the State Board of Education. The performance reports shall follow a common format, shall be submitted according to a plan developed by the State Board and shall include the information required under the plan developed by the State Board."

(b) The State Board of Education shall develop a plan to provide a focused review of teacher education programs and the current process of accrediting these programs in order to ensure that the programs produce graduates that are well prepared to teach. The plan shall include the development and implementation of a school of education performance report for each teacher education program in North Carolina. The performance report shall include at least the following elements: (i) quality of students entering the schools of education, including the average grade point average and average score on preprofessional skills tests that assess reading, writing, math, and other competencies; (ii) graduation rates; (iii) time-to-graduation rates; (iv) average scores of graduates on professional and content area examinations for the purpose of certification; (v) percentage of graduates receiving initial certification; (vi) percentage of graduates hired as teachers; (vii) percentage of graduates remaining in teaching for four years; (viii) graduate satisfaction based on a common survey; and (ix) employer satisfaction based on a common survey. The performance reports shall follow a common format. The performance reports shall be submitted annually for the 1998-99, 1999-2000, and 2000-2001 school years. The performance reports shall be submitted biannually thereafter to coincide with the Board of Governors' biannual report on institutional effectiveness. The State Board of Education shall develop a plan to be implemented beginning in the 1998-99 school year to reward and sanction approved teacher education programs and masters of education programs and to revoke approval of those programs based on the performance reports and other criteria established by the State Board of Education.

The State Board also shall develop and implement a plan for annual performance reports for all masters degree programs in education and school administration in North Carolina. To the extent it is appropriate,

the performance report shall include similar indicators to those developed for the performance report for teacher education programs. The performance reports shall follow a common format.

Both plans for performance reports also shall include a method to provide the annual performance reports to the Board of Governors of The University of North Carolina, the State Board of Education, and the boards of trustees of the independent colleges. The State Board of Education shall review the schools of education performance reports and the performance reports for masters degree programs in education and school administration each year the performance reports are submitted.

The State Board of Education shall report to the Joint Legislative Education Oversight Committee by February 15, 1998, on the plans for schools of education performance reports and performance reports for masters degree programs in education and school administration developed under this subsection.

(c) The State Board of Education, in coordination with the Board of Governors of The University of North Carolina and independent colleges and universities that offer teacher education programs, shall conduct a comprehensive teacher supply and demand study. The study shall examine predicted trends over the course of the next decade and include information regarding the effect of teacher attrition rates on supply and demand. The study shall include information on characteristics of new teachers hired with teaching experience in other states and information regarding graduates of North Carolina schools of education who have not received certification. The survey also shall include school unit analysis and Southern Regional Education Board comparative analysis where appropriate. The State Board of Education shall report the results of the supply and demand study to the Joint Legislative Education Oversight Committee by November 15, 1998.

(d) The State Board of Education, in coordination with the Board of Governors of The University of North Carolina, and independent colleges and universities that offer masters degree programs in school administration shall conduct a comprehensive school administrator supply and demand study. The study shall examine retirement and attrition rates and the sources of the supply of new school administrators. The study also shall include school unit analysis and the characteristics, including quality, of individuals currently certified but not employed as school administrators. The study also shall include recommendations regarding continued data collection and periodic reporting of teacher and school administrator supply and demand trends. The State Board of Education shall report the results of the supply and demand study to the Joint Legislative Education Oversight Committee by November 15, 1998. The State Board of Education and the

Board of Governors of The University of North Carolina may combine this supply and demand study with the study required under G.S. 116-74.21(c).

(e) By March 15, 1998, the Board of Governors of The University of North Carolina shall report to the Joint Legislative Education Oversight Committee on the efforts to improve teacher preparation through implementation of a second major requirement. The report shall include recommendations to strengthen the requirement and provide greater consistency for second majors throughout the system.

B. ENHANCED INITIAL CERTIFICATION REQUIREMENTS

Section 5. G.S. 115C-296(a) reads as rewritten:

"(a) The State Board of Education shall have entire control of certifying all applicants for teaching positions in all public elementary and high schools of North Carolina; and it shall prescribe the rules and regulations for the renewal and extension of all certificates and shall determine and fix the salary for each grade and type of certificate which it authorizes: Provided, that the State Board of Education shall require each applicant for an initial certificate or bachelors degree certificate or graduate degree certificate to demonstrate his the applicant's academic and professional preparation by achieving a prescribed minimum score at least equivalent to that required by the Board on November 30, 1972, on a standard examination appropriate and adequate for that purpose: ~~Provided, further, that in the event the Board shall specify the National Teachers Examination for this purpose, the required minimum score shall not be lower than that which the Board required on November 30, 1972: Provided, further, that the State Board of Education shall not decrease the certification standards for physical education teachers or health education teachers below the standards in effect on June 1, 1988.~~ purpose. The State Board of Education shall make the standard initial certification exam sufficiently rigorous and raise the prescribed minimum score as necessary to ensure that each applicant has adequate academic and professional preparation to teach."

C. REPORT ON ENHANCEMENT OF INITIAL CERTIFICATION STANDARDS

Section 6. (a) The State Board of Education shall review the admission standards for teacher education programs and the initial certification requirements that were adopted by the Board on July 6, 1994. The State Board shall report to the Joint Legislative Education Oversight Committee by March 15, 1998, on the results of the review. The State Board may consolidate the report required under this subsection with the report on continuing certification required under Section 8 of this act and

the report on renewal of teacher certificates required under Section 14 of this act.

(b) By March 15, 1999, the State Board shall implement the July 6, 1994, admission standards for teacher education programs and initial certification requirements to the extent the State Board determines those standards and requirements are valid and consistent with the State goal of requiring rigorous professional requirements.

IV. RIGOROUS STANDARDS FOR CONTINUING CERTIFICATION

A. AWARD OF CONTINUING CERTIFICATION DELAYED ONE YEAR

Section 7. (a) G.S. 115C-296(b), as rewritten by Section 4(a) of this act, reads as rewritten:

"(b) It is the policy of the State of North Carolina to maintain the highest quality teacher education programs and school administrator programs in order to enhance the competence of professional personnel certified in North Carolina. To the end that teacher preparation programs are upgraded to reflect a more rigorous course of study, the State Board of Education, as lead agency in coordination and cooperation with the University Board of Governors, the Board of Community Colleges and such other public and private agencies as are necessary, shall continue to refine the several certification requirements, standards for approval of institutions of teacher education, standards for institution-based innovative and experimental programs, standards for implementing consortium-based teacher education, and standards for improved efficiencies in the administration of the approved programs. The certification program shall provide for initial certification after completion of preservice training, continuing certification after three years of teaching experience, and certificate renewal every five years thereafter.

The State Board of Education, as lead agency in coordination with the Board of Governors of The University of North Carolina and any other public and private agencies as necessary, shall continue to raise standards for entry into teacher education programs.

The standards for approval of institutions of teacher education shall require that teacher education programs for students who do not major in special education include demonstrated competencies in the identification and education of children with learning disabilities. The State Board of Education shall incorporate the criteria developed in accordance with G.S. 116-74.21 for assessing proposals under the School Administrator Training Program into its school administrator program approval standards.

All North Carolina institutions of higher education that offer teacher education programs, masters degree programs in education, or masters degree programs in school administration shall provide performance reports to the State Board of Education. The performance reports shall follow a common format, shall be submitted according to a plan developed by the State Board, and shall include the information required under the plan developed by the State Board.

(b) This section applies to teachers who have not received continuing certification prior to January 1, 1998.

B. ENHANCED STANDARDS FOR CONTINUING CERTIFICATION

Section 8. The State Board of Education, in consultation with the Board of Governors of The University of North Carolina, shall evaluate and develop enhanced requirements for continuing certification. The new requirements shall reflect more rigorous standards for continuing certification and to the extent possible shall be aligned with quality professional development programs that reflect State priorities for improving student achievement. The State Board shall report to the Joint Legislative Education Oversight Committee by March 15, 1998, on the results of this evaluation. The State Board may consolidate the report required under this section with the report on initial certification required under Section 6 of this act and the report on renewal of teacher certificates required under Section 14 of this act. The State Board of Education shall adopt new standards for continuing certification by May 15, 1998.

V. RIGOROUS STANDARDS, EVALUATION, AND SUPPORT BEFORE CAREER STATUS IS CONSIDERED

A. SUPPORT AND MENTORS PROVIDED FOR ALL BEGINNING TEACHERS

Section 9. The State Board of Education shall develop a mentor program to provide ongoing support for teachers entering the profession. In developing the mentor program, the State Board shall conduct a comprehensive study of the needs of new teachers and how those needs can be met through an orientation and mentor support program. For the purpose of helping local boards to support new teachers, the State Board shall develop and distribute guidelines which address optimum teaching load, extracurricular duties, student assignment, and other working condition considerations. The State Board also shall develop and coordinate a mentor teacher training program. The State Board shall develop criteria for selecting excellent, experienced, and qualified teachers to be participants in the mentor teacher training program. The State Board

shall report to the Joint Legislative Education Oversight Committee prior to February 15, 1998, on its progress in implementing this section.

**B. RIGOROUS AND MORE FREQUENT EVALUATIONS
BY WELL-TRAINED EVALUATORS BEFORE CAREER
STATUS IS CONSIDERED**

Section 10. (a) G.S. 115C-326(a) reads as rewritten:

"(a) The State Board of Education, in consultation with local boards of education, shall revise and develop uniform performance standards and criteria to be used in evaluating professional public school ~~employees. It~~ employees, including school administrators. These standards and criteria shall include improving student achievement and employee skills and employee knowledge. The standards and criteria for school administrators also shall include building-level gains in student learning and effectiveness in carrying out the responsibility of providing for school safety and enforcing student discipline. The Board shall develop rules to recommend the use of these standards and criteria in the employee evaluation process. The performance standards and criteria may be modified in at the discretion of the Board.

The State Board of Education, in collaboration with the Board of Governors of The University of North Carolina, shall develop training programs for practicing school administrators to improve their evaluation of professional public school employees based on the employee's skills and knowledge and student achievement. These programs shall include evaluative methods to determine whether an employee's performance has improved student learning, as well as the appropriate process for professional improvement, contract nonrenewal, and dismissal of school personnel whose performance is inadequate. The Board of Governors of The University of North Carolina shall ensure that the subject matter of the training programs is incorporated into the masters in school administration programs offered by the constituent institutions.

Local boards of education shall adopt rules to provide for the evaluation of all professional employees defined as teachers in G.S. 115C-325(a)(6). All teachers who have not attained career status shall be observed at least three times annually by a qualified school administrator or a designee and at least once annually by a teacher, and shall be evaluated at least once annually by a qualified school administrator. All other teachers shall be evaluated annually unless a local board adopts rules that allow specified categories of teachers with career status to be evaluated more or less frequently. Local boards may also adopt rules requiring the annual evaluation of other school employees not specifically covered in this section. Local boards may develop and use alternative evaluation approaches for teachers provided the evaluations are properly validated.

Local boards that do not develop alternative evaluations shall utilize the performance standards and criteria adopted by the State Board of Education, but are not limited to those standards and criteria."

(b) The State Board of Education shall report to the Joint Legislative Education Oversight Committee by March 15, 1998, on the development of programs to train administrators to improve the evaluation of professional public school employees.

(c) The State Board of Education shall report to the Joint Legislative Education Oversight Committee by March 15, 1998, on the revision and development of uniform performance standards and criteria to be used in evaluating professional public school employees including school administrators. The State Board of Education shall adopt new performance standards and criteria by May 15, 1998.

(d) The State Board of Education shall develop guidelines for evaluating superintendents. The guidelines shall include criteria for evaluating superintendent effectiveness in providing safe schools and enforcing student discipline. The State Board of Education shall report to the Joint Legislative Education Oversight Committee by April 15, 1998, on the development of the guidelines. The State Board of Education shall adopt guidelines for evaluating superintendents by July 15, 1998.

C. CAREER STATUS DECISION TO BE MADE ONE YEAR AFTER CONTINUING CERTIFICATION AWARDED

Section 11. (a) G.S. 115C-325(c) reads as rewritten:

"(c) (1) Election of a Teacher to Career Status. -- Except as otherwise provided in subdivision (3) of this subsection, when a teacher ~~will have~~ has been employed by a North Carolina public school system for ~~three~~ four consecutive years, the board, near the end of the ~~third~~ fourth year, shall vote upon ~~his employment for the next school year.~~ whether to grant the teacher career status. The board shall give ~~him~~ the teacher written notice of that decision by June 1 ~~of his third year of employment.~~ 15. If a majority of the board votes to ~~reemploy the teacher,~~ grant career status to the teacher, and if it has notified ~~him~~ the teacher of the decision, it may not rescind that action but must proceed under the provisions of this section for the demotion or dismissal of a teacher if it decides to terminate ~~his~~ the teacher's employment. If a majority of the board votes against ~~reemploying the teacher,~~ granting career status, ~~he~~ the teacher shall not teach beyond the current school term. If the board fails to vote on granting career status but ~~reemploys him for~~

the next year, he automatically becomes a career teacher on the first day of the fourth year of employment. status:

- a. It shall not reemploy the teacher for a fifth consecutive year;
- b. As of June 16, the teacher shall be entitled to one month's pay as compensation for the board's failure to vote upon the issue of granting career status; and
- c. The teacher shall be entitled to an additional month's pay for every 30 days after June 16 that the board fails to vote upon the issue of granting career status.

A year, for purposes of computing time as a probationary teacher, shall be not less than 120 workdays performed as a full-time, permanent teacher in a normal school year.

- (2) Employment of a Career Teacher. -- A teacher who has obtained career status in any North Carolina public school system need not serve another probationary period of more than two years. ~~years, and may, at the option of the board, be employed immediately as a career teacher. In any event, if the teacher is reemployed for a third consecutive school year, he shall automatically become a career teacher. A teacher with career status who resigns and within five years is reemployed by the same local school administrative unit need not serve another probationary period of more than one school year and may, at the option of the board, be reemployed as a career teacher. In any event, if he is reemployed for a second consecutive school year, he shall automatically become a career teacher. The board may grant career status immediately upon employing the teacher, or after the first or second year of employment. If a majority of the board votes against granting career status, the teacher shall not teach beyond the current term. If after two consecutive years of employment, the board fails to vote on the issue of granting career status;~~

- a. It shall not reemploy the teacher for a third consecutive year;
- b. As of June 16, the teacher shall be entitled to one month's pay as compensation for the board's failure to vote upon the issue of granting career status; and

c. The teacher shall be entitled to one additional month's pay for every 30 days beyond June 16 that the board fails to vote upon the issue of granting career status.

(2a) Notice of Teachers Eligible to Achieve Career Status. -- At least 30 days prior to any board action granting career status, the superintendent shall submit to the board a list of the names of all teachers who are eligible to achieve career status. Notwithstanding any other provision of law, the list shall be a public record under Chapter 132 of the General Statutes.

(3) Ineligible for Career Status. -- No employee of a local board of education except a teacher as defined by G.S. 115C-325(a)(6) is eligible to obtain career status or continue in a career status if he no longer performs the responsibilities of a teacher as defined in G.S. 115C-325(a)(6). No person who is working in a principal or supervisor position who did not acquire career status as a school administrator by June 30, 1997, shall have career status as an administrator. Further, no director or assistant principal is eligible to obtain career status as a school administrator unless he or she has already been conferred that status by the local board of education.

(4) Leave of Absence. -- A career teacher who has been granted a leave of absence by a board shall maintain his career status if he returns to his teaching position at the end of the authorized leave."

(b) This section applies to teachers, as defined in G.S. 115C-325(a)(6), who have not attained career status pursuant to G.S. 115C-325(c) prior to July 1, 1998.

VI. ADDITIONAL PROFESSIONAL DEVELOPMENT OPPORTUNITIES AND TOUGHER STANDARDS FOR TEACHERS WITH CAREER STATUS

A. MEANINGFUL AND CONTINUED PROFESSIONAL DEVELOPMENT FOR TEACHERS

Section 12. (a) G.S. 115C-12 is amended by adding a new subdivision to read:

"(26) Duty to Monitor and Make Recommendations Regarding Professional Development Programs. -- The State Board of Education, in collaboration with the Board of Governors of The University of North

Carolina, shall identify and make recommendations regarding meaningful professional development programs for professional public school employees. The programs shall be aligned with State education goals and directed toward improving student academic achievement. The State Board shall annually evaluate and, after consultation with the Board of Governors, make recommendations regarding professional development programs based upon reports submitted by the Board of Governors under G.S. 116-11(12a)."

(b) G.S. 116-11 is amended by adding a new subdivision to read:

"(12a) The Board of Governors of The University of North Carolina shall implement, administer, and revise programs for meaningful professional development for professional public school employees based upon the evaluations and recommendations made by the State Board of Education under G.S. 115C-12(26). The programs shall be aligned with State education goals and directed toward improving student academic achievement. The Board of Governors shall submit to the State Board of Education an annual report evaluating the professional development programs administered by the Board of Governors."

(c) The State Board of Education shall report to the Board of Governors of The University of North Carolina by January 15, 1998, on its initial recommendations for implementation of subsection (a) of this section.

(d) The Board of Governors of The University of North Carolina shall report to the Joint Legislative Education Oversight Committee by April 1, 1998, on a plan to coordinate the subject matter and consolidate components of the professional development programs for professional public school employees. This report may include recommendations for statutory or other organizational changes.

B. TENURE STREAMLINED TO PROVIDE A FAIR AND EFFICIENT PROCESS FOR REMOVING POOR TEACHERS FROM THE CLASSROOM

Section 13. (a) G.S. 115C-325, as rewritten by Section 11(a) of this act, reads as rewritten:

"§ 115C-325. System of employment for public school teachers.

(a) Definition of Terms. -- As used in this section unless the context requires otherwise:

(1a) 'Career employee' as used in this section means:

- a. An employee who has obtained career status with that local board as a teacher as provided in G.S. 115C-325(c);
- b. An employee who has obtained career status with that local board in an administrative position as provided in G.S. 115C-325(d)(2);
- c. A probationary teacher during the term of the contract as provided in G.S. 115C-325(m); and
- d. A school administrator during the term of a school administrator contract as provided in G.S. 115C-287.1(c).

(1b) 'Career school administrator' means a school administrator who has obtained career status in an administrative position as provided in G.S. 115C-325(d)(2).

(+)

(1c) 'Career teacher' means a teacher who has obtained career status as provided in G.S. 115C-325(c).

(1d) 'Case manager' means a person selected under G.S. 115C-325(h)(7).

(2) 'Committee' means the Professional Review Committee created under G.S. 115C-325(g).

(3) 'Day' means calendar day. In computing any period of time, Rule 6 of the North Carolina Rules of Civil Procedure shall apply.

(4) 'Demote' means to reduce the compensation salary of a person who is classified or paid by the State Board of Education as a classroom teacher, teacher or as a school administrator. or to transfer him to a new position carrying a lower salary, or to suspend him without pay to a maximum of 60 days; provided, however, that a suspension without pay pursuant to the provisions of G.S. 115C-325(f) shall not be considered a demotion. The word 'demote' does not include a reduction in compensation that results from the elimination of a special duty, such as the duty of an athletic coach, assistant principal, or a choral director. include: (i) a suspension without pay pursuant to G.S. 115C-325(f)(1); (ii) the elimination or reduction of bonus payments, including merit-based supplements, or a systemwide modification in the amount of any applicable local supplement; or (iii) any reduction in

salary that results from the elimination of a special duty, such as the duty of an athletic coach or a choral director.

(4a) 'Disciplinary suspension' means a final decision to suspend a teacher or school administrator without pay for no more than 60 days under G.S. 115C-325(f)(2).

(5) 'Probationary teacher' means a certificated person, other than a superintendent, associate superintendent, or assistant superintendent, who has not obtained career-teacher status and whose major responsibility is to supervise teaching.

(6) 'Teacher' means a person who holds at least a current, not provisional or expired, Class A certificate or a regular, not provisional or expired, vocational certificate issued by the Department of Public Instruction; whose major responsibility is to teach or directly supervises teaching or who is classified by the State Board of Education or is paid as a classroom teacher; and who is employed to fill a full-time, permanent position.

(7) 'School administrator' means a principal, assistant principal, supervisor, or director whose major function includes the direct or indirect supervision of teaching or any other part of the instructional program as provided in G.S. 115C-287.1(a)(3).

(8) 'Year' for purposes of computing time as a probationary teacher shall be not less than 120 workdays performed as a probationary teacher in a full-time permanent position in a school year.

(b) Personnel Files. -- The superintendent shall maintain in his office a personnel file for each teacher that contains any complaint, commendation, or suggestion for correction or improvement about the teacher's professional conduct, except that the superintendent may elect not to place in a teacher's file (i) a letter of complaint that contains invalid, irrelevant, outdated, or false information or (ii) a letter of complaint when there is no documentation of an attempt to resolve the issue. The complaint, commendation, or suggestion shall be signed by the person who makes it and shall be placed in the teacher's file only after five days' notice to the teacher. Any denial or explanation relating to such complaint, commendation, or suggestion that the teacher desires to make shall be placed in the file. Any teacher may petition the local board of education to remove any information from his personnel file that he deems invalid, irrelevant, or outdated. The board may

order the superintendent to remove said information if it finds the information is invalid, irrelevant, or outdated.

The personnel file shall be open for the teacher's inspection at all reasonable times but shall be open to other persons only in accordance with such rules and regulations as the board adopts. Any preemployment data or other information obtained about a teacher before his employment by the board may be kept in a file separate from his personnel file and need not be made available to him. No data placed in the preemployment file may be introduced as evidence at a hearing on the dismissal or demotion of a teacher, except the data may be used to substantiate G.S. 115C-325(e)(1)g. or G.S. 115C-325(e)(1)o. as grounds for dismissal or demotion.

- (c) (1) Election of a Teacher to Career Status. -- Except as otherwise provided in subdivision (3) of this subsection, when a teacher has been employed by a North Carolina public school system for four consecutive years, the board, near the end of the fourth year, shall vote upon whether to grant the teacher career status. The board shall give the teacher written notice of that decision by June 15. If a majority of the board votes to grant career status to the teacher, and if it has notified the teacher of the decision, it may not rescind that action but must proceed under the provisions of this section for the demotion or dismissal of a teacher if it decides to terminate the teacher's employment. If a majority of the board votes against granting career status, the teacher shall not teach beyond the current school term. If the board fails to vote on granting career status:

- a. It shall not reemploy the teacher for a fifth consecutive year;
- b. As of June 16, the teacher shall be entitled to one month's pay as compensation for the board's failure to vote upon the issue of granting career status; and
- c. The teacher shall be entitled to an additional month's pay for every 30 days after June 16 that the board fails to vote upon the issue of granting career status.

~~A year, for purposes of computing time as a probationary teacher, shall be not less than 120 workdays performed as a full time, permanent teacher in a normal school year.~~

- (2) Employment of a Career Teacher. -- A teacher who has obtained career status in any North Carolina public school system need not serve another probationary period of more than two years. The board may grant career status immediately upon employing the teacher, or after the first or second year of employment. If a majority of the board votes against granting career status, the teacher shall not teach beyond the current term. If after two consecutive years of employment, the board fails to vote on the issue of granting career status:
- a. It shall not reemploy the teacher for a third consecutive year;
 - b. As of June 16, the teacher shall be entitled to one month's pay as compensation for the board's failure to vote upon the issue of granting career status; and
 - c. The teacher shall be entitled to one additional month's pay for every 30 days beyond June 16 that the board fails to vote upon the issue of granting career status.
- (2a) Notice of Teachers Eligible to Achieve Career Status. -- At least 30 days prior to any board action granting career status, the superintendent shall submit to the board a list of the names of all teachers who are eligible to achieve career status. Notwithstanding any other provision of law, the list shall be a public record under Chapter 132 of the General Statutes.
- (3) Ineligible for Career Status. -- No employee of a local board of education except a teacher as defined by G.S. 115C-325(a)(6) is eligible to obtain career status or continue in a career status as a teacher if he no longer performs the responsibilities of a teacher as defined in G.S. 115C-325(a)(6). No person who is ~~working in a principal or supervisor position~~ employed as a school administrator who did not acquire career status as a school administrator by June 30, 1997, shall have career status as an administrator. Further, no director or assistant principal is eligible to obtain career status as a school administrator unless he or she has already been conferred that status by the local board of education.

- (4) Leave of Absence. -- A career teacher who has been granted a leave of absence by a board shall maintain his career status if he returns to his teaching position at the end of the authorized leave.

(d) Career Teachers and Career School Administrators.

- (1) A career teacher or career school administrator shall not be subjected to the requirement of annual appointment nor shall he be dismissed, demoted, or employed on a part-time basis without his consent except as provided in subsection (e).

- (2) a. The provisions of this subdivision do not apply to a person who is ineligible for career status as provided by G.S. 115C-325(c)(3).

- b. ~~Whether or not he has previously attained career status as a teacher, a person who has performed the duties of a principal in the school system for three consecutive years or has performed the duties of a supervisor in the school system for three consecutive years shall not be transferred from that position to a lower paying administrative position or to a lower paying nonadministrative position without his consent except for the reasons given in G.S. 115C-325(e)(1) and in accordance with the provisions for the dismissal of a career teacher set out in this section. Transfer of a principal or a supervisor is not a transfer to a lower paying position if the principal's or supervisor's salary is maintained at the previous salary amount.~~

- c. Subject to G.S. 115C-287.1, when ~~When~~ a teacher has performed the duties of supervisor or principal for three consecutive years, the board, near the end of the third year, shall vote upon his employment for the next school year. The board shall give him written notice of that decision by June 1 of his third year of employment as a supervisor or principal. If a majority of the board votes to reemploy the teacher as a principal or supervisor, and it has notified him of that decision, it may not rescind that action but must proceed under the provisions of this section. If a majority of the board votes not to reemploy the teacher as a principal or supervisor,

he shall retain career status as a teacher if that status was attained prior to assuming the duties of supervisor or principal. A supervisor or principal who has not held that position for three years and whose contract will not be renewed for the next school year shall be notified by June 1 and shall retain career status as a teacher if that status was attained prior to assuming the duties of supervisor or principal.

A year, for purposes of computing time as a probationary principal or supervisor, shall not be less than 145 workdays performed as a full-time, permanent principal or supervisor in a contract year.

A principal or supervisor who has obtained career status in that position in any North Carolina public school system may be required by the board of education in another school system to serve an additional three-year probationary period in that position before being eligible for career status. However, he may, at the option of the board of education, be granted career status immediately or after serving a probationary period of one or two additional years. A principal or supervisor with career status who resigns and within five years is reemployed by the same school system need not serve another probationary period in that position of more than two years and may, at the option of the board, be reemployed immediately as a career principal or supervisor or be given career status after only one year. In any event, if he is reemployed for a third consecutive year, he shall automatically become a career principal or supervisor.

(e) Grounds for Dismissal or Demotion of a Career Teacher Employee.

(1) Grounds. -- No career ~~teacher~~ employee shall be dismissed or demoted or employed on a part-time basis except for one or more of the following:

- a. Inadequate performance.
- b. Immorality.
- c. Insubordination.
- d. Neglect of duty.
- e. Physical or mental incapacity.
- f. Habitual or excessive use of alcohol or nonmedical use of a controlled substance as

defined in Article 5 of Chapter 90 of the General Statutes.

- g. Conviction of a felony or a crime involving moral turpitude.
- h. Advocating the overthrow of the government of the United States or of the State of North Carolina by force, violence, or other unlawful means.
- i. Failure to fulfill the duties and responsibilities imposed upon teachers or school administrators by the General Statutes of this State.
- j. Failure to comply with such reasonable requirements as the board may prescribe.
- k. Any cause which constitutes grounds for the revocation of ~~such the~~ career teacher's teaching ~~certificate~~, certificate or the career school administrator's administrator certificate.
- l. A justifiable decrease in the number of positions due to district reorganization, decreased enrollment, or decreased funding, provided that there is compliance with subdivision (2).
- m. Failure to maintain his certificate in a current status.
- n. Failure to repay money owed to the State in accordance with the provisions of Article 60, Chapter 143 of the General Statutes.
- o. Providing false information or knowingly omitting a material fact on an application for employment or in response to a preemployment inquiry.

- (2) Reduction in Force. -- Before recommending to a board the dismissal or demotion of the career ~~teacher~~ employee pursuant to G.S. 115C-325(e)(1)l., the superintendent shall give written notice to the career ~~teacher~~ employee by certified mail or personal delivery of his intention to make such recommendation and shall set forth as part of his recommendation the grounds upon which he believes such dismissal or demotion is justified. The notice shall include a statement to the effect that if the ~~teacher~~ career employee within 15 days after receipt of the notice requests a review, he shall be entitled to have the proposed recommendations of the superintendent reviewed by the board. Within

the 15-day period after receipt of the notice, the career ~~teacher~~ employee may file with the superintendent a written request for a hearing before the board within 10 days. If the ~~teacher~~ career employee requests a hearing before the board, the hearing procedures provided in ~~G.S. 115C-325(j)~~ G.S. 115C-325(j3) shall be followed. If no request is made within the 15-day period, the superintendent may file his recommendation with the board. If, after considering the recommendation of the superintendent and the evidence adduced at the hearing if there is one, the board concludes that the grounds for the recommendation are true and substantiated by a preponderance of the evidence, the board, if it sees fit, may by resolution order such dismissal. Provisions of this section which permit ~~appointment of, and investigation and review by, a panel of the Professional Review Committee~~ a hearing by a case manager shall not apply to a dismissal or demotion recommended pursuant to G.S. 115C-325(e)(1)l.

When a career ~~teacher~~ employee is dismissed pursuant to G.S. 115C-325(e)(1)l. above, his name shall be placed on a list of available ~~teachers~~ career employees to be maintained by the board. Career ~~teachers~~ employees whose names are placed on such a list shall have a priority on all positions in which they acquired career status and for which they are qualified which become available in that system for the three consecutive years succeeding their dismissal. However, if the local school administrative unit offers the dismissed ~~teacher~~ career employee a position for which he is certified and he refuses it, his name shall be removed from the priority list.

(3) Inadequate Performance. -- In determining whether the professional performance of a career ~~teacher~~ employee is adequate, consideration shall be given to regular and special evaluation reports prepared in accordance with the published policy of the employing local school administrative unit and to any published standards of performance which shall have been adopted by the board. Failure to notify a career ~~teacher~~ employee of an inadequacy in his performance shall be conclusive evidence of satisfactory performance.

(4) Three-Year Limitation on Basis of Dismissal or Demotion. -- Dismissal or demotion under subdivision (1) above, except ~~paragraph g~~ paragraphs g. and o. thereof, shall not be based on conduct or actions which occurred more than three years before the written notice of the superintendent's intention to recommend dismissal or demotion is mailed to the ~~teacher~~ career employee. The three-year limitation shall not apply to dismissals or demotions pursuant to subdivision (1)b. above when the charge of immorality is based upon a ~~teacher's career employee's~~ sexual misconduct toward or sexual harassment of students or staff.

(f) (1) Suspension without Pay. -- If a superintendent believes that cause exists for dismissing a ~~probationary or career teacher employee~~ for any reason specified in G.S. 115C-325(e)(1)a. through 115C-325(e)(1)j. G.S. 115C-325(e)(1) and that immediate suspension of the ~~teacher~~ career employee is necessary, the superintendent may suspend ~~him~~ the career employee without pay. Before suspending a ~~teacher~~ career employee without pay, the superintendent shall meet with the ~~teacher~~ career employee and give him written notice of the charges against him, an explanation of the bases for the charges, and an opportunity to respond. Within five days after a suspension under this paragraph, the superintendent shall initiate a ~~dismissal~~ dismissal, demotion, or disciplinary suspension without pay as provided in this section. If it is finally determined that no grounds for ~~dismissal~~ dismissal, demotion, or disciplinary suspension without pay exist, the ~~teacher~~ career employee shall be reinstated ~~immediately and immediately~~, shall be paid for the period of ~~suspension~~ suspension, and all records of the suspension shall be removed from the career employee's personnel file.

(2) Disciplinary Suspension Without Pay. -- A ~~teacher~~ career employee recommended for suspension without pay pursuant to G.S. 115C-325(a)(4) 115C-325(a)(4a) may request a hearing before the board. ~~If the teacher requests a hearing before the board, the procedures provided in G.S. 115C-325(j) shall be followed.~~ If no request is made within 15 days, the superintendent may file his recommendation with the board. If, after considering the recommendation of the superintendent

and the evidence adduced at the hearing if one is held, the board concludes that the grounds for the recommendation are true and substantiated by a preponderance of the evidence, the board, if it sees fit, may by resolution order such suspension. ~~Provisions of this section which permit appointment of, and investigation and review by, a panel of the Professional Review Committee shall not apply to a suspension without pay pursuant to G.S. 115C-325(a)(4).~~

a. Board hearing for disciplinary suspensions for more than 10 days or for certain types of intentional misconduct. -- The procedures for a board hearing under G.S. 115C-325(j3) shall apply if any of the following circumstances exist:

1. The recommended disciplinary suspension without pay is for more than 10 days; or
2. The disciplinary suspension is for intentional misconduct, such as inappropriate sexual or physical conduct, immorality, insubordination, habitual or excessive alcohol or nonmedical use of a controlled substance as defined in Article 5 of Chapter 90 of the General Statutes, any cause that constitutes grounds for the revocation of the teacher's or school administrator's certificate, or providing false information.

b. Board hearing for disciplinary suspensions of no more than 10 days. -- The procedures for a board hearing under G.S. 115C-325(j2) shall apply to all disciplinary suspensions of no more than 10 days that are not for intentional misconduct as specified in G.S. 115C-325(f)(2)a.2.

(f1) Suspension with Pay. -- If a superintendent believes that cause may exist for dismissing or demoting a probationary or career teacher employee for any reasons specified in G.S. 115C-325(e)(1)b through 115C-325(e)(1)j, G.S. 115C-325(e)(1), but that additional investigation of the facts is necessary and circumstances are such that the teacher career employee should be removed immediately from his duties, the superintendent may suspend the teacher career employee with pay for a reasonable period of time, not to exceed 90 days. The superintendent shall immediately notify the board of education within two days of his action and shall notify the

career employee within two days of the action and the reasons for it. If the superintendent has not initiated dismissal or demotion proceedings against the ~~teacher~~ career employee within the 90-day period, the ~~teacher~~ career employee shall be reinstated to his duties immediately and all records of the suspension with pay shall be removed from the ~~teacher's~~ career employee's personnel file at his ~~request~~. request. However, if the superintendent and the employee agree to extend the 90-day period, the superintendent may initiate dismissal or demotion proceedings against the career employee at any time during the period of the extension.

(f2) Procedure for Demotion of Career School Administrator. -- If a superintendent intends to recommend the demotion of a career school administrator, the superintendent shall give written notice to the career school administrator by certified mail or personal delivery and shall include in the notice the grounds upon which the superintendent believes the demotion is justified. The notice shall include a statement that if the career school administrator requests a hearing within 15 days after receipt of the notice, the administrator shall be entitled to have the grounds for the proposed demotion reviewed by the local board of education. If the career school administrator does not request a board hearing within 15 days, the superintendent may file the recommendation of demotion with the board. If, after considering the superintendent's recommendation and the evidence presented at the hearing if one is held, the board concludes that the grounds for the recommendation are true and substantiated by a preponderance of the evidence, the board may by resolution order the demotion. The procedures for a board hearing under G.S. 115C-325(j3) shall apply to all demotions of career school administrators.

(g) Professional Review Committee; Qualifications; Terms; Vacancy; Training.

- (1) ~~There is hereby created a Professional Review Committee which shall consist of 132 citizens, 11 from each of the State's congressional districts, five of whom shall be lay persons and six of whom shall have been actively and continuously engaged in teaching or in supervision or administration of schools in this State for the five years preceding their appointment and who are broadly representative of the profession, to be appointed by the Superintendent of Public Instruction with the advice and consent of the State Board of Education. Each member shall be appointed for a term of three years. The initial terms of office of the persons appointed from the 12th Congressional District shall commence on January 3, 1993, and expire on June 30, 1995. The Superintendent of Public Instruction, with~~

the advice and consent of the State Board of Education, shall fill any vacancy which may occur in the Committee. The person appointed to fill the vacancy shall serve for the unexpired portion of the term of the member of the Committee whom he is appointed to replace.

(2) The Superintendent of Public Instruction shall provide for the Committee such training as he considers necessary or desirable for the purpose of enabling the members of the Committee to perform the functions required of them.

(3) The compensation of committee members while serving as a member of a hearing panel shall be as for State boards and commissions pursuant to G.S. 138-5. The compensation shall be paid by the State Board of Education.

(h) Procedure for Dismissal or Demotion of Career Teacher Employee.

(1) a. A career teacher employee may not be dismissed, demoted, or reduced to part-time employment except upon the superintendent's recommendation.

b. G.S. 115C-325(f2) shall apply to the demotion of a career school administrator.

(2) Before recommending to a board the dismissal or demotion of the career teacher employee, the superintendent shall give written notice to the career teacher employee by certified mail or personal delivery of his intention to make such recommendation and shall set forth as part of his recommendation the grounds upon which he believes such dismissal or demotion is justified. The superintendent also shall meet with the career employee and give him written notice of the charges against him, an explanation of the basis for the charges, and an opportunity to respond if the career employee has not done so under G.S. 115C-325(f)(1). The notice shall include a statement to the effect that if the teacher career employee within ~~15~~ 14 days after the date of receipt of the notice requests a review, he shall be entitled to have the grounds for the proposed recommendations of the superintendent reviewed by a panel of the Committee case manager. A copy of G.S. 115C-325 and a current list of ~~the members of the Professional Review Committee case managers~~ shall also be sent to the career teacher employee. If the

teacher career employee does not request a panel hearing with a case manager within the ~~15~~ 14 days provided, the superintendent may submit his recommendation to the board.

- (3) Within the ~~15-day~~ 14-day period after receipt of the notice, the career teacher employee may file with the superintendent a written request for either (i) ~~a review of the a hearing on the grounds for the~~ superintendent's proposed recommendation by a ~~panel of the Professional Review Committee case manager~~ or (ii) a hearing within five days before the board on the superintendent's recommendation, ~~within 10 days~~. If the teacher career employee requests an immediate hearing before the board, he forfeits his right to a hearing by a ~~panel of the Professional Review Committee~~. A hearing conducted by the board pursuant to this subdivision shall be conducted pursuant to G.S. 115C-325(j) and (l) a case manager. If no request is made within that period, the superintendent may file his recommendation with the board. The board, if it sees fit, may by resolution ~~dismiss such teacher~~ (i) reject the superintendent's recommendation or (ii) accept or modify the superintendent's recommendation and dismiss, demote, reinstate, or suspend the employee without pay. If a request for review is made, the superintendent shall not file his recommendation for dismissal with the board until a report of ~~a panel of the Committee the case manager~~ is filed with the superintendent.

- (4) ~~If a request for review is made, the superintendent, within five days of filing such request for review, shall notify the Superintendent of Public Instruction who, within seven days from the time of receipt of such notice, shall designate a panel of five members of the Committee, at least two of whom shall be lay persons, who shall not be employed in or be residents of the county in which the request for review is made, to review the proposed recommendations of the superintendent for the purpose of determining whether in its opinion the grounds for the recommendation are true and substantiated. The teacher or principal making the request for review shall have the right to require~~

that at least two members of the panel shall be members of his professional peer group.

(5) If the career employee elects to request a hearing by a case manager, the career employee and superintendent shall each have the right to eliminate up to one-third of the names on the approved list of case managers. The career employee shall specify those case managers who are not acceptable in the career employee's request for a review of the superintendent's proposed recommendation under G.S. 115C-325(h)(3). The superintendent and career employee may jointly select a person to serve as case manager. The person need not be on the master list of case managers maintained by the Superintendent of Public Instruction.

(6) If a career employee requests a review by a case manager, the superintendent shall notify the Superintendent of Public Instruction within two days' receipt of the request. The notice shall contain a list of the case managers the career employee and the superintendent have eliminated from the master list or the name of a person, if any, jointly selected. Failure to exercise the right to eliminate names from the master list shall constitute a waiver of that right.

(7) The Superintendent of Public Instruction shall select a case manager within three days of receiving notice from the superintendent. The Superintendent of Public Instruction shall designate the person jointly selected by the parties to serve as case manager provided the person agrees to serve as case manager and can meet the requirements for time frames for the hearing and report as provided in G.S. 115C-325(i1)(1). If a case manager was not jointly selected or if the case manager is not available, the Superintendent of Public Instruction shall select a case manager from the master list. No person eliminated by the career employee or superintendent shall be designated case manager.

(8) The superintendent and career employee shall provide each other with copies of all documents submitted to the Superintendent of Public Instruction or to the designated case manager.

(h1) Case Managers; Qualifications; Training; Compensation.

- (1) Each year the State Board of Education shall select and maintain a master list of no more than 42 qualified case managers.
- (2) Persons selected by the State Board as case managers shall be: (i) certified as a North Carolina Superior Court mediator; (ii) a member of the American Arbitration Association's roster of arbitrators and mediators; or (iii) have comparable certification in alternative dispute resolution. Case managers must complete a special training course approved by the State Board of Education.
- (3) The State Board of Education shall determine the compensation for a case manager. The State Board shall pay the case manager's compensation and reimbursement for expenses.
 - ~~(i) Hearing by Panel of Professional Review Committee; Report; Action of Superintendent; Review by Board.~~
- ~~(4) The career teacher and superintendent will each have the right to designate not more than 33 of the 132 members of the Professional Review Committee as not acceptable to the teacher or superintendent respectively. No person so designated shall be appointed to the panel. The career teacher shall specify to the superintendent those Committee members who are not acceptable in his request for a review of the superintendent's proposed recommendations provided for in subdivision (h)(3) above. The superintendent's notice to the Superintendent of Public Instruction provided for in subdivision (h)(4) above shall contain a list of those members of the Committee not acceptable to the superintendent and the teacher respectively. Failure to designate nonacceptable members in accordance with this subsection shall constitute a waiver of that right.~~
- (2) As soon as possible after the time of its designation, the panel shall elect a chairman and shall conduct a hearing in accordance with G.S. 115C 325(j) for the purpose of determining whether the grounds for the recommendation are true and substantiated. The panel shall be furnished assistance reasonably required to conduct its hearing and shall be empowered to subpoena and swear witnesses and to require them to

~~give testimony and to produce books and papers relevant to its investigation.~~

(3) ~~The career teacher and superintendent involved shall each have the right to meet with the panel accompanied by counsel or other person of his choice and to present any evidence and arguments which he considers pertinent to the considerations of the panel and to cross-examine witnesses.~~

(4) ~~When the panel has completed its hearing, it shall prepare a written report and send it to the superintendent and teacher. The report shall contain its findings as to whether or not the grounds for the recommendation are true and substantiated by a preponderance of the evidence, and a statement of the reasons for its findings. The panel shall complete its hearing and prepare the report within 20 days from the time of its designation, except in cases in which the panel finds that justice requires that a greater time be spent in connection with the investigation and the preparation of such report, and reports that finding to the superintendent and the teacher: Provided, that such extension does not exceed 10 days.~~

(5) ~~Within five days after the superintendent receives the report of the panel, the superintendent shall decide whether or not to submit a written recommendation for dismissal to the board or to drop the charges against the teacher and shall notify the teacher, in writing, of the decision. Within five days after receiving the superintendent's notice of his intent to recommend the teacher's dismissal to the board, the teacher shall decide whether to request a hearing before the board and shall notify the superintendent, in writing, of the decision. If the teacher requests a hearing before the board, the superintendent shall submit his written recommendation to the board with a copy to the teacher within five days after receiving the teacher's request. The superintendent's recommendation shall state the grounds for the recommendation and shall be accompanied by a copy of the report of the panel of the Committee.~~

(6) ~~Within seven days after receiving the superintendent's recommendation and before taking any formal action, the board shall set a time and place for the hearing and notify the teacher by certified mail of the date, time and~~

~~place of the hearing. The time specified shall not be less than seven nor more than 20 days after the board has notified the teacher. If the teacher did not request a hearing, the board may, by resolution, dismiss the teacher. If the teacher can show that his request for a hearing was postmarked within the time provided, his right to a hearing is not forfeited.~~

(il) Report of Case Manager; Superintendent's Recommendation.

(1) The case manager shall complete the hearing held in accordance with G.S. 115C-325(j) and prepare the report within 10 days from the time of the designation. The case manager may extend the period of time by up to five additional days if the case manager informs the superintendent and the career employee that justice requires that a greater time be spent in connection with the investigation and the preparation of the report. Furthermore, the superintendent and the career employee may agree to an extension of more than five days.

(2) The case manager shall make all necessary findings of fact, based upon the preponderance of the evidence, on all issues related to each and every ground for dismissal and on all relevant matters related to the question of whether the superintendent's recommendation is justified. The case manager also shall make a recommendation as to whether the findings of fact substantiate the superintendent's grounds for dismissal. The case manager shall deliver copies of the report to the superintendent and the career employee.

(3) Within two days after receiving the case manager's report, the superintendent shall decide whether to submit a written recommendation to the local board for dismissal, demotion, or disciplinary suspension without pay to the board or to drop the charges against the career employee. The superintendent shall notify the career employee, in writing, of the decision.

(4) If the superintendent contends that the case manager's report fails to address a critical factual issue, the superintendent shall within three days receipt of the case manager's report, request in writing with a copy to the career employee that the case manager prepare a supplement to the report. The superintendent shall specify what critical factual issue the superintendent

contends the case manager failed to address. If the case manager determines that the report failed to address a critical factual issue, the case manager may prepare a supplement to the report to address the issue and deliver the supplement to both parties before the board hearing. The failure of the case manager to prepare a supplemental report or to address a critical factual issue shall not constitute a basis for appeal.

(j) Hearing Procedure by a Case Manager. -- The following provisions shall be applicable apply to any a hearing conducted pursuant to G.S. 115C-325(k) or (l) or to any hearing conducted by a board pursuant to G.S. 115C-325(h)(3) by the case manager.

- (1) The hearing shall be private.
- (2) The hearing shall be conducted in accordance with such reasonable rules and regulations as the board may adopt consistent with G.S. 115C 325, or if no rules have been adopted, in accordance with reasonable rules and regulations adopted by the State Board of Education to govern such case manager hearings.
- (3) At the hearing the teacher career employee and the superintendent shall have the right to be present and to be heard, to be represented by counsel and to present through witnesses any competent testimony relevant to the issue of whether grounds for dismissal or demotion exist or whether the procedures set forth in G.S. 115C-325 have been followed.
- (4) Rules of evidence shall not apply to a hearing conducted pursuant to this act and boards and panels of the Professional Review Committee by a case manager and the case manager may give probative effect to evidence that is of a kind commonly relied on by reasonably prudent persons in the conduct of serious affairs.
- (5) At least five days before the hearing, the superintendent shall provide to the teacher career employee a list of witnesses the superintendent intends to present, a brief statement of the nature of the testimony of each witness and a copy of any documentary evidence ~~he~~ the superintendent intends to present. At least three days before the hearing, the teacher career employee shall provide to the superintendent a list of witnesses the teacher career employee intends to present, a brief statement of the nature of the testimony of each witness

and a copy of any documentary evidence ~~he~~ the career employee intends to present. Additional witnesses or documentary evidence may not be presented except ~~upon consent of both parties or upon a majority vote of the board or panel.~~ upon a finding by the case manager that the new evidence is critical to the matter at issue and the party making the request could not, with reasonable diligence, have discovered and produced the evidence according to the schedule provided in this subdivision.

(6) The case manager may subpoena and swear witnesses and may require them to give testimony and to produce records and documents relevant to the grounds for dismissal.

(7) The case manager shall decide all procedural issues, including limiting cumulative evidence, necessary for a fair and efficient hearing.

(8) The superintendent shall provide for making a transcript of the hearing. If the career employee contemplates a hearing before the board or to appeal the board's decision to a court of law, the career employee may request and shall receive at no charge a transcript of the proceedings before the case manager.

(j1) Board Determination.

(1) Within two days after receiving the superintendent's notice of intent to recommend the career employee's dismissal to the board, the career employee shall decide whether to request a hearing before the board and shall notify the superintendent, in writing, of the decision. If the career employee can show that the request for a hearing was postmarked within the time provided, the career employee shall not forfeit the right to a board hearing. Within two days after receiving the career employee's request for a board hearing, the superintendent shall submit to the board the written recommendation and shall provide a copy to the career employee. The superintendent's recommendation shall state the grounds for the recommendation and shall be accompanied by a copy of the case manager's report.

(2) If the career employee contends that the case manager's report fails to address a critical factual issue the career employee shall, at the same time he notifies the superintendent of a request for a board hearing pursuant

to G.S. 115C-325(j1)(1), request in writing with a copy to the superintendent that the case manager prepare a supplement to the case manager's report. The career employee shall specify the critical factual issue he contends the case manager failed to address. If the case manager determines that the report failed to address a critical factual issue, the case manager may prepare a supplement to the report to address the issue and shall deliver the supplement to both parties before the board hearing. The failure of the case manager to prepare a supplemental report or to address a critical factual issue shall not constitute a basis for appeal.

- (3) Within two days after receiving the superintendent's recommendation and before taking any formal action, the board shall set a time and place for the hearing and shall notify the career employee by certified mail or personal delivery of the date, time, and place of the hearing. The time specified shall not be less than seven nor more than 10 days after the board has notified the career employee, unless both parties agree to an extension. If the career employee did not request a hearing, the board may, by resolution, reject the superintendent's decision, or accept or modify the decision and dismiss, demote, reinstate, or suspend the career employee without pay.
- (4) If the career employee requests a board hearing, it shall be conducted in accordance with G.S. 115C-325(j2).
- (5) The board shall make a determination and may (i) reject the superintendent's recommendation or (ii) accept or modify the recommendation and dismiss, demote, reinstate, or suspend the employee without pay.
- (6) Within two days following the hearing, the board shall send a written copy of its findings and determination to the career employee and the superintendent.

(j2) Board Hearing. -- The following procedures shall apply to a hearing conducted by the board:

- (1) The hearing shall be private.
- (2) If the career employee requested a hearing by a case manager, the board shall receive the following:
 - a. The whole record from the hearing held by the case manager, including a transcript of the hearing, as well as any other records, exhibits, and

documentary evidence submitted to the case manager at the hearing.

b. The case manager's findings of fact, including any supplemental findings prepared by the case manager under G.S. 115C-325 (i1)(4) or G.S. 115C-325(i1)(2).

c. The case manager's recommendation as to whether the grounds in G.S. 115C-325(e) submitted by the superintendent are substantiated.

d. The superintendent's recommendation and the grounds for the recommendation.

(3) If the career employee did not request a hearing by a case manager, the board shall receive the following:

a. Any documentary evidence the superintendent intends to use to support the recommendation. The superintendent shall provide the documentary evidence to the career employee seven days before the hearing.

b. Any documentary evidence the career employee intends to use to rebut the superintendent's recommendation. The career employee shall provide the superintendent with the documentary evidence three days before the hearing.

c. The superintendent's recommendation and the grounds for the recommendation.

(4) The superintendent and career employee may submit a written statement not less than three days before the hearing.

(5) The superintendent and career employee shall be permitted to make oral arguments to the board based on the record before the board.

(6) No new evidence may be presented at the hearing except upon a finding by the board that the new evidence is critical to the matter at issue and the party making the request could not, with reasonable diligence, have discovered and produced the evidence at the hearing before the case manager.

(7) The board shall accept the case manager's findings of fact unless a majority of the board determines that the findings of fact are not supported by substantial evidence when reviewing the record as a whole. In such an event, the board shall make alternative findings of fact. If a majority of the board determines that the

case manager did not address a critical factual issue, the board may remand the findings of fact to the case manager to complete the report to the board. If the case manager does not submit the report within seven days receipt of the board's request, the board may determine its own findings of fact regarding the critical factual issues not addressed by the case manager. The board's determination shall be based upon a preponderance of the evidence.

(8) The board is not required to provide a transcript of the hearing to the career employee. If the board elects to make a transcript and if the career employee contemplates an appeal to a court of law, the career employee may request and shall receive at no charge a transcript of the proceedings. A career employee may have the hearing transcribed by a court reporter at the career employee's expense.

(j3) Board Hearing for Certain Disciplinary Suspensions, Demotions of Career School Administrators, and for Reductions in Force. -- The following procedures shall apply for a board hearing under G.S. 115C-325(e)(2), G.S. 115C-325(f2), and G.S. 115C-325(f)(2)a.:

(1) The hearing shall be private.

(2) The hearing shall be conducted in accordance with reasonable rules adopted by the State Board of Education to govern such hearings.

(3) At the hearing, the career employee and the superintendent shall have the right to be present and to be heard, to be represented by counsel, and to present through witnesses any competent testimony relevant to the issue of whether grounds exist for a disciplinary suspension without pay under G.S. 115C-325(f)(2)a., a demotion of a career school administrator under G.S. 115C-325(f2), or whether the grounds for a dismissal or demotion due to a reduction in force is justified.

(4) Rules of evidence shall not apply to a hearing under this subsection and the board may give probative effect to evidence that is of a kind commonly relied on by reasonably prudent persons in the conduct of serious affairs.

(5) At least 10 days before the hearing, the superintendent shall provide to the career employee a list of witnesses the superintendent intends to present, a brief statement of the nature of the testimony of each witness, and a

copy of any documentary evidence the superintendent intends to present.

- (6) At least six days before the hearing, the career employee shall provide the superintendent a list of witnesses the career employee intends to present, a brief statement of the nature of the testimony of each witness, and a copy of any documentary evidence the career employee intends to present.

- (7) No new evidence may be presented at the hearing except upon a finding by the board that the new evidence is critical to the matter at issue and the party making the request could not, with reasonable diligence, have discovered and produced the evidence according to the schedule provided in this subsection.

- (8) The board may subpoena and swear witnesses and may require them to give testimony and to produce records and documents relevant to the grounds for suspension without pay.

- (9) The board shall decide all procedural issues, including limiting cumulative evidence, necessary for a fair and efficient hearing.

- (10) The superintendent shall provide for making a transcript of the hearing. If the career employee contemplates an appeal of the board's decision to a court of law, the career employee may request and shall receive at no charge a transcript of the proceedings.

~~(k) Panel Finds Grounds for Superintendent's Recommendation True and Substantiated.~~

- ~~(1) If the panel found that the grounds for the recommendation of the superintendent are true and substantiated, at the hearing the board shall consider the recommendation of the superintendent, the report of the panel, including any minority report, and any evidence which the teacher or the superintendent may wish to present with respect to the question of whether the grounds for the recommendation are true and substantiated. The hearing may be conducted in an informal manner.~~

- ~~(2) If, after considering the recommendation of the superintendent, the report of the panel and the evidence adduced at the hearing, the board concludes that the grounds for the recommendation are true and substantiated, by a preponderance of the evidence, the~~

~~board, if it sees fit, may by resolution order such dismissal.~~

~~(1) Panel Does Not Find That the Grounds for Superintendent's Recommendation Are True and Substantiated.~~

~~(1) If the panel does not find that the grounds for the recommendation of the superintendent are true and substantiated, at the hearing the board shall determine whether the grounds for the recommendation of the superintendent are true and substantiated upon the basis of competent evidence adduced at the hearing by witnesses who shall testify under oath or affirmation to be administered by any board member or the secretary of the board.~~

~~(2) The procedure at the hearing shall be such as to permit and secure a full, fair and orderly hearing and to permit all relevant competent evidence to be received therein. The report of the panel of the committee shall be deemed to be competent evidence. A full record shall be kept of all evidence taken or offered at such hearing. Both counsel for the local school administrative unit and the career teacher or his counsel shall have the right to cross examine witnesses.~~

~~(3) At the request of either the superintendent or the teacher, the board shall issue subpoenas requiring the production of papers or records or the attendance of persons residing within the State before the board. Subpoenas for witnesses to testify at the hearing in support of the recommendation of the superintendent or on behalf of the career teacher shall, as requested, be issued in blank by the board over the signature of its chairman or secretary. The board shall pay witness fees for up to five witnesses subpoenaed on behalf of the teacher, except that it shall not pay for any witness who resides within the county in which the dismissal originates or who is an employee of the board. However, no employee of the board shall suffer any loss of compensation because he has been subpoenaed to testify at the hearing. These payments shall be as provided for witnesses in G.S. 7A-314.~~

~~(4) At the conclusion of the hearing provided in this section, the board shall render its decision on the evidence submitted at such hearing and not otherwise.~~

~~The board's decision shall be based on a preponderance of the evidence.~~

- (5) ~~Within five days following the hearing, the board shall send a written copy of its findings and order to the teacher and superintendent. The board shall provide for making a transcript of its hearing. If the teacher contemplates an appeal to a court of law, he may request and shall receive at no charge a transcript of the proceedings.~~

(m) Probationary Teacher.

- (1) The board of any local school administrative unit may not discharge a probationary teacher during the school year except for the reasons for and by the procedures by which a career ~~teacher~~ employee may be dismissed as set forth in subsections ~~(e)~~ (e), (f), (f1), and (h) to (j) ~~(j3)~~ above.
- (2) The board, upon recommendation of the superintendent, may refuse to renew the contract of any probationary teacher or to reemploy any teacher who is not under contract for any cause it deems sufficient: Provided, however, that the cause may not be arbitrary, capricious, discriminatory or for personal or political reasons.

(n) (See note) Appeal. -- Any ~~teacher~~ career employee who has been dismissed or demoted ~~pursuant to under G.S. 115C-325(e)(2), or pursuant to subsections (h), (k) or (l) of this section under G.S. 115C-325(j2), or who has been suspended without pay pursuant to G.S. 115C-325(a)(4), under G.S. 115C-325(a)(4a), or any school administrator whose contract is not renewed in accordance with G.S. 115C-287.1, or any probationary teacher whose contract is not renewed under G.S. 115C-325~~ G.S. 115C-325(m)(2) shall have the right to appeal from the decision of the board to the superior court for the superior court district or set of districts as defined in G.S. 7A-41.1 in which the ~~teacher or school administrator~~ career employee is employed. This appeal shall be filed within a period of 30 days after notification of the decision of the board. The cost of preparing the transcript shall be ~~borne by the board, determined under G.S. 115C-325(j2)(8) or G.S. 115C-325(j3)(10).~~ A ~~teacher~~ career employee who has been demoted or dismissed, or a school administrator whose contract is not renewed, who has not requested a hearing before the board of education pursuant to this section shall not be entitled to judicial review of the board's action.

(o) Resignation; Nonrenewal of Contract. -- A teacher, career or probationary, should not resign without the consent of the superintendent

unless he has given at least 30 days' notice. If the teacher does resign without giving at least 30 days' notice, the board may request that the State Board of Education revoke the teacher's certificate for the remainder of that school year. A copy of the request shall be placed in the teacher's personnel file.

A probationary teacher whose contract will not be renewed for the next school year shall be notified of this fact by June 1.

(p) Section Applicable to Certain Institutions. -- Notwithstanding any law or regulation to the contrary, this section shall apply to all persons employed in teaching and related educational classes in the schools and institutions of the Departments of Human Resources and Correction regardless of the age of the students.

(q) Procedure for Dismissal of School Administrators and Teachers Employed in Low-Performing Schools.

(1) Notwithstanding any other provision of this section or any other law, the State Board:

a. Shall suspend with pay a principal who has been assigned to a school for more than two years before the State Board identifies that school as low-performing and assigns an assistance team to that school under Article 8B of this Chapter; and

b. May suspend with pay a principal who has been assigned to a school for no more than two years before the State Board identifies that school as low-performing and assigns an assistance team to that school under Article 8B of this Chapter.

These principals shall be suspended with pay pending a hearing before a panel of three members of the State Board. The purpose of this hearing, which shall be held within 60 days after the principal is suspended, is to determine whether the principal shall be dismissed. The panel shall order the dismissal of the principal, at which time the period of suspension with pay shall expire, unless the panel makes a public determination that the principal has established that the factors that led to the identification of the school as low-performing were not due to the inadequate performance of the principal. The State Board shall adopt procedures to ensure that due process rights are afforded to principals under this subsection. Decisions of the panel may be appealed on the record to the State Board, with further

right of judicial review under Chapter 150B of the General Statutes.

- (2) Notwithstanding any other provision of this section or any other law, this subdivision shall govern the State Board's dismissal of teachers, assistant principals, directors, and supervisors assigned to schools that the State Board has identified as low-performing and to which the State Board has assigned an assistance team under Article 8B of this Chapter. The State Board shall dismiss a teacher, assistant principal, director, or supervisor when the State Board receives two consecutive evaluations that include written findings and recommendations regarding that person's inadequate performance from the assistance team. These findings and recommendations shall be substantial evidence of the inadequate performance of the teacher or school administrator.

The State Board may dismiss a teacher, assistant principal, director, or supervisor when:

- a. The State Board determines that the school has failed to make satisfactory improvement after the State Board assigned an assistance team to that school under G.S. 115C-105.38; and
- b. That assistance team makes the recommendation to dismiss the teacher, assistant principal, director, or supervisor for one or more grounds established in G.S. 115C-325(e)(1) for dismissal or demotion of a career teacher.

A teacher, assistant principal, director, or supervisor may request a hearing before a panel of three members of the State Board within 30 days of any dismissal under this subdivision. The State Board shall adopt procedures to ensure that due process rights are afforded to persons recommended for dismissal under this subdivision. Decisions of the panel may be appealed on the record to the State Board, with further right of judicial review under Chapter 150B of the General Statutes.

- (2a) Notwithstanding any other provision of this section or any other law, this subdivision shall govern the State Board's dismissal of certified staff members who have engaged in a remediation plan under G.S. 115C-105.38A(a) but who, after two retests, fail to meet the

general knowledge standard set by the State Board. The failure to meet the general knowledge standard after two retests shall be substantial evidence of the inadequate performance of the certified staff member.

A certified staff member may request a hearing before a panel of three members of the State Board within 30 days of any dismissal under this subdivision. The State Board shall adopt procedures to ensure that due process rights are afforded to certified staff members recommended for dismissal under this subdivision. Decisions of the panel may be appealed on the record to the State Board, with further right of judicial review under Chapter 150B of the General Statutes.

- (3) The State Board of Education or a local board may terminate the contract of a school administrator dismissed under this subsection. Nothing in this subsection shall prevent a local board from refusing to renew the contract of any person employed in a school identified as low-performing under G.S. 115C-105.37.
- (4) Neither party to a school administrator contract is entitled to damages under this subsection.
- (5) The State Board shall have the right to subpoena witnesses and documents on behalf of any party to the proceedings under this subsection."

(b) This section applies to proceedings initiated after September 1, 1997.

C. STUDIES ON MAKING RENEWAL OF TEACHER CERTIFICATES MORE RIGOROUS

Section 14. The State Board of Education, in consultation with local boards of education and the Board of Governors of The University of North Carolina, shall reevaluate and enhance the requirements for renewal of teacher certificates. The State Board shall consider modifications in the certificate renewal process to align the process with State education goals and improved student achievement and to make it a mechanism for teachers to renew continually their knowledge and professional skills. The State Board of Education shall report to the Joint Legislative Oversight Committee by March 15, 1998, on the proposed new standards for the renewal of teacher certificates. The State Board may consolidate the report required under this section with the report on initial certification required under Section 6 of this act and the report on continuing certification required under Section 8 of this act.

The State Board of Education shall adopt new standards for the renewal of teacher certificates by May 15, 1998. The new standards adopted by the State Board shall apply to certificates that expire after July 1, 1998.

Section 15. The State Board of Education, in consultation with local boards of education and the Board of Governors of The University of North Carolina, shall study and recommend ways to modify the administrator recertification process to ensure that all schools have well-qualified administrators. The State Board shall report the results of this study to the Joint Legislative Education Oversight Committee by February 15, 1998.

VII. A PLAN TO ATTRACT AND RETAIN HIGH QUALITY TEACHERS -- HIGHER STARTING SALARY, ENHANCED LONGEVITY PAY, AND SIGNIFICANT BUMPS IN THE SALARY SCHEDULE UPON ACHIEVING CONTINUING CERTIFICATION AND CAREER STATUS

Section 16. (a) It is the goal of the General Assembly to increase teacher salaries over the next four years so as to attract and retain excellent teachers in the public schools; therefore, it is the goal of the General Assembly to implement, over the upcoming four fiscal years, a plan for increasing the starting salary for teachers by nearly twenty percent (20%). This would bring the starting salary to at least twenty-five thousand dollars (\$25,000) by the year 2000. Under this plan, the salary schedule would also contain significant "bumps" at the third step, which is the point at which teachers have attained continuing certification; and at the fourth step, which is the point at which teachers may achieve career status.

It is further the intent of the General Assembly that local school administrative units will not use these State-funded salary increments to supplant local salary supplements.

As a first step in implementing this plan, it is the goal of the General Assembly to fund a salary schedule plan for the 1997-98 school year for teachers with "A" certificates similar to the following:

**1997-98 Salary Schedule Plan
"A" Teachers**

Years of Experience	10-Month Salary
0	\$22,150
1	\$22,570
2	\$23,000

3	\$24,270
4	\$25,280
5	\$25,750
6	\$26,230
7	\$26,720
8	\$27,210
9	\$27,700
10	\$28,200
11	\$28,720
12	\$29,250
13	\$29,790
14	\$30,340
15	\$30,900
16	\$31,470
17	\$32,050
18	\$32,650
19	\$33,260
20	\$33,890
21	\$34,520
22	\$35,160
23	\$35,810
24	\$36,480
25	\$37,170
26	\$37,870
27	\$38,580
28	\$39,310
29	\$40,050
30+	\$40,050

1998-99 Salary Schedule Plan

"A" Teachers

Years of Experience	10-Month Salary
0	\$23,100
1	\$23,520
2	\$23,950
3	\$25,510
4	\$26,780
5	\$27,790
6	\$28,260
7	\$28,740
8	\$29,230

9	\$29,720
10	\$30,210
11	\$30,710
12	\$31,230
13	\$31,760
14	\$32,300
15	\$32,850
16	\$33,410
17	\$33,980
18	\$34,560
19	\$35,160
20	\$35,770
21	\$36,400
22	\$37,030
23	\$37,670
24	\$38,320
25	\$38,990
26	\$39,680
27	\$40,380
28	\$41,090
29	\$41,820
30+	\$41,820

1999-2000 Salary Schedule Plan

"A" Teachers

Years of Experience	10-Month Salary
0	\$24,050
1	\$24,470
2	\$24,900
3	\$26,680
4	\$28,240
5	\$29,510
6	\$30,520
7	\$30,990
8	\$31,470
9	\$31,960
10	\$32,450
11	\$32,940
12	\$33,440
13	\$33,960
14	\$34,490

15	\$35,030
16	\$35,580
17	\$36,140
18	\$36,710
19	\$37,290
20	\$37,890
21	\$38,500
22	\$39,130
23	\$39,760
24	\$40,400
25	\$41,050
26	\$41,720
27	\$42,410
28	\$43,110
29	\$43,820
30+	\$43,820

2000-2001 School Year Plan

"A" Teachers

Years of Experience	10-Month Salary
0	\$25,000
1	\$25,420
2	\$25,850
3	\$27,370
4	\$28,750
5	\$30,060
6	\$31,330
7	\$32,340
8	\$32,810
9	\$33,290
10	\$33,780
11	\$34,270
12	\$34,760
13	\$35,260
14	\$35,780
15	\$36,310
16	\$36,850
17	\$37,400
18	\$37,960
19	\$38,530
20	\$39,110

21	\$39,710
22	\$40,320
23	\$40,950
24	\$41,580
25	\$42,220
26	\$42,870
27	\$43,540
28	\$44,230
29	\$44,930
30+	\$44,930

(b) To further implement this plan, it is the goal of the General Assembly to increase longevity pay for teachers with 25 or more years of State service to four and one-half percent (4.5%) of base salary, the same level as for State employees.

VIII. PAY FOR EXEMPLARY PERFORMANCE/SPECIAL ASSIGNMENTS

A. DEFINITION OF "MASTERS/ADVANCED COMPETENCIES" BY THE STATE BOARD OF EDUCATION

Section 17. (a) The State Board of Education, after consultation with the Board of Governors of The University of North Carolina, shall develop a new category of teacher certificate known as the "Masters/Advanced Competencies" certificate. To receive this certificate, an applicant shall successfully complete a masters degree program that includes rigorous academic preparation in the subject area in which the applicant will teach and in the skills and knowledge expected of a master teacher or the applicant shall demonstrate to the satisfaction of the State Board that the candidate has acquired the skills and knowledge expected of a master teacher.

(b) The Board of Governors of The University of North Carolina shall develop a plan to revise the current masters of education degree programs at the constituent institutions. The plan shall provide for degree programs that require participants take a more rigorous course of study than is currently required and that includes concentrations in the academic content areas in which the participants will teach. The plan shall also consider methods for: (i) providing the more rigorous course of study using the same number of hours as are currently required for masters of education degrees; and (ii) providing participants the opportunity to complete the masters of education degree program as part-time students, by summer school attendance, and at sites not located at a constituent

institution's campus provided there is sufficient demand for the off-campus programs.

(c) Persons who qualify for a "G" certificate prior to September 1, 2000, shall be awarded a "Masters/Advanced Competencies" certificate without meeting additional requirements. On and after September 1, 2000, no additional "G" certificates shall be awarded.

(d) The State Board of Education shall report to the Joint Legislative Education Oversight Committee by January 15, 1998, on its progress in implementing subsection (a) of this section. The Board of Governors of The University of North Carolina shall report to the Joint Legislative Education Oversight Committee by January 15, 1998, on its plan to implement subsection (b) of this section.

B. SALARY DIFFERENTIAL PLAN FOR "MASTERS/ADVANCED COMPETENCIES" AND FOR NBPTS CERTIFICATION

Section 18. It is the goal of the General Assembly to increase significantly the salaries of teachers who attain a "Masters/Advanced Competencies" certificate and teachers who are certified by the National Board for Professional Teaching Standards (NBPTS) so as to provide an incentive for good teachers to become excellent teachers. In order to do so, it is further the goal of the General Assembly to enact, for the 1997-98 school year, a salary schedule plan that will provide a twelve percent (12%) salary differential for teachers who attain NBPTS certification. It is further the goal of the General Assembly to enact by the year 2000 a salary schedule plan that will provide a ten percent (10%) salary differential to teachers who attain a "Masters/Advanced Competencies" certification. With these salary differentials, the top salary under the plan for teachers with both the "Masters/Advanced Competencies" certification and the NBPTS certification would be a minimum of fifty-three thousand dollars (\$53,000) a year by the year 2000.

C. PARTICIPATION FEE AND PAID LEAVE FOR NBPTS PROGRAM

Section 19. It is the goal of the General Assembly to continue to pay for the National Board for Professional Teaching Standards participation fee and for up to three days of approved paid leave for teachers participating in the NBPTS program during the 1997-98 school year and the 1998-99 school year and thereafter for teachers in the public schools.

D. SCHOOL-BASED INCENTIVE AWARDS UNDER THE ABC'S PROGRAM

Section 20. (a) It is the goal of the General Assembly to provide school-based incentive awards under G.S. 115C-105.36 (a) to schools at which students achieve higher than expected improvements in the basics and the skills they need to get a good job, and to schools at which students meet the expected improvements in the basics and the skills they need to get a good job. In accordance with State Board of Education policy, incentive awards in schools that achieve higher than expected improvements may be up to: (i) one thousand five hundred dollars (\$1,500) for each teacher and for certified personnel; and (ii) five hundred dollars (\$500.00) for each teacher assistant. In accordance with State Board of Education policy, incentive awards in schools that meet the expected improvements may be up to: (i) seven hundred fifty dollars (\$750.00) for each teacher and for certified personnel; and (ii) three hundred seventy-five dollars (\$375.00) for each teacher assistant.

It is further the goal of the General Assembly to provide funds to provide assistance teams to low-performing schools. It is also the goal of the General Assembly to provide funds to provide remediation to teachers who work in schools that are identified as low-performing and who do not acquire a passing score on a test designated by the State Board of Education.

(b) G.S. 115C-105.37(b) reads as rewritten:

"(b) Each identified low-performing school shall notify provide written notification to the parents of students attending that ~~school~~ school. The written notification shall include a statement that the State Board of Education has found that the school has ~~failed~~ 'failed to meet the minimum growth standards, as defined by the State Board, and a majority of students in ~~that the~~ the school are performing below grade ~~level.~~ level.' This notification also shall include a description of the steps the school is taking to improve student performance."

E. EXTRA PAY FOR MENTOR TEACHERS

Section 21. It is the goal of the General Assembly to fund a mentor teacher program that will recognize the achievements of excellent, experienced teachers and will provide each newly certified teacher with a qualified and well-trained mentor. The funds shall be used to compensate each mentor for serving as a mentor prior to and during the school year.

F. EXTRA PAY FOR NEW TEACHER DEVELOPMENT

Section 22. It is the goal of the General Assembly to compensate every newly certified teacher for three additional days of employment for orientation and classroom preparation.

G. EXTRA PAY FOR PROFESSIONAL DEVELOPMENT

Section 23. It is the goal of the General Assembly to provide funds for teachers' participation in professional development programs that are aligned with State educational goals and improved student achievement. The funds should be used for teacher development programs that enable teachers to renew continually their knowledge and professional skills, programs that train principals to observe and evaluate teachers, programs that train master teachers to observe teachers that have not achieved career status, programs that train mentors for beginning teachers, and other programs as directed by the State Board of Education.

H. EXTRA PAY FOR EXTRA DAYS

Section 24. It is the goal of the General Assembly to provide funds to enable school systems to utilize better the teacher workdays within the calendar for planning, staff development, remediation, and other purposes. These funds shall be used to pay teachers for working on, and thereby forfeiting, vacation days.

I. ADDITIONAL PAY FOR TEACHERS WITH ADDITIONAL RESPONSIBILITIES

Section 25. It is the goal of the General Assembly to provide funds to compensate teachers for additional assignments and responsibilities designed to improve student achievement for additional workdays outside of the school calendar. These funds should be allocated to local school administrative units on the basis of average daily membership. The local board should use one-half of the funds on the recommendation of the local superintendent and one-half on the recommendation of school improvement teams. These funds could be used to compensate teachers for purposes such as teaching after-school or Saturday academies for students at risk of academic failure, developing curriculum, participating in teacher training and development outside of the school calendar, and teaching classes on Saturday to students needing additional instructional opportunities.

IX. FUNDS FOR COMPUTER SYSTEMS

Section 26. G.S. 115C-546.1(a) reads as rewritten:

"(a) There is created the Public School Building Capital Fund. The Fund shall be used to assist county governments in meeting their public school building capital ~~needs; needs and their equipment needs under their local school technology plans.~~"

Section 27. G.S. 115C-546.2 reads as rewritten:

"§ 115C-546.2. Allocations from the Fund; uses; expenditures; reversion to General Fund; matching requirements."

(a) Monies in the Fund shall be allocated to the counties on a per average daily membership basis according to the average daily membership for the budget year as determined and certified by the State Board of Education. Interest earned on funds allocated to each county shall be allocated to that county.

(b) ~~Monies~~ Counties shall use monies in the Fund ~~shall be used~~ for capital outlay projects including the planning, construction, reconstruction, enlargement, improvement, repair, or renovation of public school buildings and for the purchase of land for public school ~~buildings.~~ buildings; for equipment to implement a local school technology plan that is approved pursuant to G.S. 115C-102.6C; or for both. Monies used to implement a local school technology plan shall be transferred to the State School Technology Fund and allocated by that Fund to the local school administrative unit for equipment.

As used in this section, 'public school buildings' only includes facilities for individual schools that are used for instructional and related purposes and does not include centralized administration, maintenance, or other facilities.

In the event a county finds that it does not need all or part of the funds allocated to it for capital outlay projects including the planning, construction, reconstruction, enlargement, improvement, repair, or renovation of public school ~~buildings or buildings,~~ for the purchase of land for public school buildings, or for equipment to implement a local school technology plan, the unneeded funds allocated to that county may be used to retire any indebtedness incurred by the county for public school facilities.

In the event a county finds that its public school building needs and its school technology needs can be met in a more timely fashion through the allocation of financial resources previously allocated for purposes other than school building needs or school technology needs and not restricted for use in meeting public school building ~~needs,~~ needs or school technology needs, the county commissioners may, with the concurrence of the affected local Board of Education, use those financial resources to meet school building needs and school technology needs and may allocate the funds it receives under this Article for purposes other than school building needs or school technology needs to the extent that financial resources were redirected from such purposes. The concurrence described herein shall be secured in advance of the allocation of the previously unrestricted financial resources and shall be on a form prescribed by the Local Government Commission.

(c) Monies in the Fund allocated for capital projects shall be matched on the basis of one dollar of local funds for every three dollars of State funds. Monies in the Fund transferred to the State Technology Fund do not require a local match.

Revenue received from local sales and use taxes that is restricted for public school capital outlay purposes pursuant to G.S. 105-502 or G.S. 105-487 may be used to meet the local matching requirement. Funds expended by a county after July 1, 1986, for land acquisition, engineering fees, architectural fees, or other directly related costs for a public school building capital project that was not completed prior to July 1, 1987, may be used to meet the local match requirement."

X. FUNDS FOR TEACHER SUPPLY AND DEMAND STUDY

Section 28. It is the goal of the General Assembly to provide funds for the State Board of Education to conduct a comprehensive teacher supply and demand study.

XI. FUNDS FOR TRAINING AND COMPENSATING CASE MANAGERS

Section 29. It is the goal of the General Assembly to provide funds for training individuals who will serve as case managers. It is also the goal of the General Assembly to provide funds for compensating and reimbursing the expenses of case managers.

XII. FUNDS FOR DEVELOPING NEW EVALUATIONS

Section 30. It is the goal of the General Assembly to provide funds for developing and revising uniform performance standards and criteria to be used in evaluating professional public school employees including school administrators and for reviewing performance pay systems for teachers.

XIII. MISCELLANEOUS PROVISIONS

A. CAPTIONS ARE FOR REFERENCE ONLY AND DO NOT LIMIT TEXT

Section 31. The series of captions used in this act (the descriptive phrases in boldface and capital letters) are inserted for convenience and reference only, and they in no way define, limit, or prescribe the scope or application of the text of this act.

B. NO APPROPRIATIONS REQUIRED BY ACT

Section 32. This act shall not be construed to obligate the General Assembly to appropriate any funds to implement the provisions of

this act. Nothing in Sections 16 through 25 or Sections 28 through 30 of this act shall be construed to create any rights or causes of action.

C. EFFECTIVE DATES

Section 33. This act is effective when it becomes law.

CONFERENCE COMMITTEE SUBSTITUTE FOR SENATE BILL 297

PCCS 2799, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS GOVERNING CHARTER SCHOOLS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 115C-238.29B reads as rewritten:

"§ 115C-238.29B. Eligible applicants; contents of applications; submission of applications for approval.

(a) Any person, group of persons, or nonprofit corporation seeking to establish a charter school ~~within a local school administrative unit~~ may apply to establish a charter school ~~on behalf of a private nonprofit corporation.~~ school. If the applicant seeks to convert a public school to a charter school, the application shall include a statement signed by a majority of the teachers and instructional support personnel currently employed at the school indicating that they favor the conversion and evidence that a significant number of parents of children enrolled in the school favor conversion.

(b) The application shall contain at least the following information:

- (1) A description of a program that implements one or more of the purposes in G.S. 115C-238.29A.
- (2) A description of student achievement goals for the school's educational program and the method of demonstrating that students have attained the skills and knowledge specified for those student achievement goals.
- (3) The governance structure of the school including the names of the proposed initial members of the board of directors of the nonprofit, tax-exempt corporation and the process to be followed by the school to ensure parental involvement.
- (3a) The local school administrative unit in which the school will be located.
- (4) Admission policies and procedures.

- (5) A proposed budget for the school and evidence that the financial plan for the school is economically sound.
 - (6) Requirements and procedures for program and financial audits.
 - (7) A description of how the school will comply with G.S. 115C-238.29F.
 - (8) Types and amounts of insurance coverage, including bonding insurance for the principal officers of the school, to be obtained by the charter school.
 - (9) The term of the ~~contract~~ charter.
 - (10) The qualifications required for individuals employed by the school.
 - (11) The procedures by which students can be excluded from the charter school and returned to a public school. Notwithstanding any law to the contrary, any local board may refuse to admit any student who is suspended or expelled from a charter school due to actions that would lead to suspension or expulsion from a public school under G.S. 115C-391 until the period of suspension or expulsion has expired.
 - (12) The number of students to be served, which number shall be at least 65, and the minimum number of teachers to be employed at the school, which number shall be at least three. However, the charter school may serve fewer than 65 students or employ fewer than three teachers if the application contains a compelling reason, such as the school would serve a geographically remote and small student population.
 - (13) Information regarding the facilities to be used by the school and the manner in which administrative services of the school are to be provided.
 - (14) ~~A description of whether the school will operate independently of the local board of education or whether it agrees to be subject to some supervision and control of its administrative operations by the local board of education. In the event the charter school elects to operate independently of the local board of education, the application must specify which employee benefits will be offered to its employees and how the benefits will be funded.~~
- (c) An applicant shall submit the application to a chartering entity for preliminary approval. A chartering entity may be:

- (1) The local board of education of the local school administrative unit in which the charter school will be located;
- (2) The board of trustees of a constituent institution of The University of North Carolina, so long as the constituent institution is involved in the planning, operation, or evaluation of the charter school; or
- (3) The State Board of Education.

Regardless of which chartering entity receives the application for preliminary approval, the State Board of Education shall have final approval of the charter school.

Notwithstanding the provisions of this subsection, if the State Board of Education finds that an applicant (i) submitted an application to a local board of education and received final approval from the State Board of Education, but (ii) is unable to find a suitable location within that local school administrative unit to operate, the State Board of Education may authorize the charter school to operate within an adjacent local school administrative unit for one year only. The charter school cannot operate for more than one year unless it reapplies, in accordance with subdivision (1), (2), or (3) of this subsection, and receives final approval from the State Board of Education.

(c1) Unless an applicant submits its application under subsection (c) of this section to the local board of education of the local school administrative unit in which the charter school will be located, the applicant shall submit a copy of its application to that local board within seven days of its submission under subsection (c) of this section. The local board may offer any information or comment concerning the application it considers appropriate to the chartering entity. The local board shall deliver this information to the chartering entity no later than January 1 of the next calendar year. The applicant shall not be required to obtain or deliver this information to the chartering entity on behalf of the local board. The State Board shall consider any information or comment it receives from a local board and shall consider the impact on the local school administrative unit's ability to provide a sound basic education to its students when determining whether to grant preliminary and final approval of the charter school."

Section 2. Part 6A of Article 16 of Chapter 115C of the General Statutes is amended by adding the following new section to read:

"§ 115C-238.29K. Criminal history checks.

(a) As used in this section:

- (1) 'Criminal history' means a county, state, or federal criminal history of conviction of a crime, whether a misdemeanor or a felony, that indicates an individual (i) poses a threat to the physical safety of students or

personnel, or (ii) has demonstrated that he or she does not have the integrity or honesty to fulfill his or her duties as school personnel. These crimes include the following North Carolina crimes contained in any of the following Articles of Chapter 14 of the General Statutes: Article 5A, Endangering Executive and Legislative Officers; Article 6, Homicide; Article 7A, Rape and Kindred Offenses; Article 8, Assaults; Article 10, Kidnapping and Abduction; Article 13, Malicious Injury or Damage by Use of Explosive or Incendiary Device or Material; Article 14, Burglary and Other Housebreakings; Article 15, Arson and Other Burnings; Article 16, Larceny; Article 17, Robbery; Article 18, Embezzlement; Article 19, False Pretense and Cheats; Article 19A, Obtaining Property or Services by False or Fraudulent Use of Credit Device or Other Means; Article 20, Frauds; Article 21, Forgery; Article 26, Offenses Against Public Morality and Decency; Article 26A, Adult Establishments; Article 27, Prostitution; Article 28, Perjury; Article 29, Bribery; Article 31, Misconduct in Public Office; Article 35, Offenses Against the Public Peace; Article 36A, Riots and Civil Disorders; Article 39, Protection of Minors; and Article 60, Computer-Related Crime. These crimes also include possession or sale of drugs in violation of the North Carolina Controlled Substances Act, Article 5 of Chapter 90 of the General Statutes, and alcohol-related offenses such as sale to underage persons in violation of G.S. 18B-302 or driving while impaired in violation of G.S. 20-138.1 through G.S. 20-138.5. In addition to the North Carolina crimes listed in this subdivision, such crimes also include similar crimes under federal law or under the laws of other states.

(2) 'School personnel' means any:

- a. Member of the board of directors of a charter school,
- b. Employee of a charter school, or
- c. Independent contractor or employee of an independent contractor of a charter school if the independent contractor carries out duties customarily performed by school personnel,
whether paid with federal, State, local, or other funds,
who has significant access to students or who has

responsibility for the fiscal management of a charter school.

(b) The State Board of Education shall adopt a policy on whether and under what circumstances school personnel shall be required to be checked for a criminal history. The policy shall not require school personnel to be checked for a criminal history check before preliminary approval is granted under G.S. 115C-238.29B. The Board shall apply its policy uniformly in requiring school personnel to be checked for a criminal history. The Board may grant conditional approval of an application while the Board is checking a person's criminal history and making a decision based on the results of the check.

The State Board shall not require members of boards of directors of charter schools or employees of charter schools to pay for the criminal history check authorized under this section.

(c) The Board of Education shall require the person to be checked by the Department of Justice to (i) be fingerprinted and to provide any additional information required by the Department of Justice to a person designated by the State Board, or to the local sheriff or the municipal police, whichever is more convenient for the person, and (ii) sign a form consenting to the check of the criminal record and to the use of fingerprints and other identifying information required by the repositories. The State Board shall consider refusal to consent when deciding whether to grant final approval of an application under G.S. 115C-238.29D and when making an employment recommendation. The fingerprints of the individual shall be forwarded to the State Bureau of Investigation for a search of the State criminal history record file, and the State Bureau of Investigation shall forward a set of fingerprints to the Federal Bureau of Investigation for a national criminal history record check. The Department of Justice shall provide to the State Board of Education the criminal history from the State and National Repositories of Criminal Histories of any school personnel for which the Board requires a criminal history check.

The State Board shall not require members of boards of directors of charter schools or employees of charter schools to pay for the fingerprints authorized under this section.

(d) The State Board shall review the criminal history it receives on an individual. The State Board shall determine whether the results of the review indicate that the individual (i) poses a threat to the physical safety of students or personnel, or (ii) has demonstrated that he or she does not have the integrity or honesty to fulfill his or her duties as school personnel and shall use the information when deciding whether to grant final approval of an application for a charter school under G.S. 115C-238.29D and for making an employment recommendation to the board of directors of a charter school. The State Board shall make written findings with regard to

how it used the information when deciding whether to grant final approval under G.S. 115C-238.29D and when making an employment recommendation.

(e) The State Board shall notify in writing the board of directors of the charter school of the determination by the State Board as to whether the school personnel is qualified to operate or be employed by a charter school based on the school personnel's criminal history. At the same time, the State Board shall provide to the charter school's board of directors the written findings the Board makes in subsection (d) of this section and its employment recommendation. If the State Board recommends dismissal or nonemployment of any person, the board of directors of the charter school shall dismiss or refuse to employ that person. In accordance with the law regulating the dissemination of the contents of the criminal history file furnished by the Federal Bureau of Investigation, the State Board shall not release nor disclose any portion of the school personnel's criminal history to the charter school's board of directors or employees. The State Board also shall notify the school personnel of the procedure for completing or challenging the accuracy of the criminal history and the personnel's right to contest the State Board's determination in court.

(f) All the information received by the State Board of Education or the charter school in accordance with subsection (e) of this section through the checking of the criminal history is privileged information and is not a public record but is for the exclusive use of the State Board of Education or the board of directors of the charter school. The State Board of Education or the board of directors of the charter school may destroy the information after it is used for the purposes authorized by this section after one calendar year.

(g) There shall be no liability for negligence on the part of the State Board of Education or the board of directors of the charter school, or their employees, arising from any act taken or omission by any of them in carrying out the provisions of this section. The immunity established by this subsection shall not extend to gross negligence, wanton conduct, or intentional wrongdoing that would otherwise be actionable. The immunity established by this subsection shall be deemed to have been waived to the extent of indemnification by insurance, indemnification under Articles 31A and 31B of Chapter 143 of the General Statutes, and to the extent sovereign immunity is waived under the Tort Claims Act, as set forth in Article 31 of Chapter 143 of the General Statutes."

Section 3. G.S. 115C-238.29D(d) reads as rewritten:

"(d) The State Board of Education may grant a the initial charter for a period not to exceed five years and may renew the charter upon the request of the chartering entity for subsequent periods not to exceed five years each. A material revision of the provisions of a charter application shall be

made only upon the approval of the State Board of Education. Beginning with the charter school's second year of operation and annually thereafter, the State Board shall allow a charter school to increase its enrollment by ten percent (10%) of the school's previous year's enrollment or as is otherwise provided in the charter. This enrollment growth shall not be considered a material revision of the charter application and shall not require the prior approval of the State Board."

Section 4. G.S. 115C-238.29E reads as rewritten:

"§ 115C-238.29E. Charter school operation.

(a) A charter school that is approved by the State shall be a public school within the local school administrative unit in which it is located. It shall be accountable to the local board of education if it applied for and received preliminary approval from that local board for purposes of ensuring compliance with applicable laws and the provisions of its ~~charter~~. All other charter schools shall be accountable to the State Board for ensuring compliance with applicable laws and the provisions of their charters, except that any of these charter schools may agree to be accountable to the local board of the school administrative unit in which the charter school is located rather than to the State Board.

(b) A charter school shall be operated by a private nonprofit corporation that shall have received federal tax-exempt status no later than 24 months following final approval of the application.

(c) A charter school shall operate under ~~a written contract~~ the written charter signed by the local board of education entity to which it is accountable under subsection (a) of this section and the applicant. A charter school is not required to enter into any other contract. ~~The contract~~ charter shall incorporate at a minimum the information provided in the application, as modified during the charter approval process, and any terms and conditions imposed on the charter school by the State Board of Education. No other terms may be imposed on the charter school as a condition for receipt of local funds.

~~If the local board of education does not sign the contract, the State Board may sign on behalf of the local board.~~

(d) The board of directors of the charter school shall decide matters related to the operation of the school, including budgeting, curriculum, and operating procedures.

(e) ~~A charter school shall be located in the local school administrative unit with which it signed the contract. Its~~ A charter school's specific location shall not be prescribed or limited by a local board or other authority except a zoning authority. The school may lease space from a local board of education, ~~from a public or private nonsectarian organization,~~ education or as is otherwise lawful in the local school administrative unit in which the charter school is located. If a charter

school leases space from a sectarian organization, the charter school classes and students shall be physically separated from any parochial students, and there shall be no religious artifacts, symbols, iconography, or materials on display in the charter school's entrance, classrooms, or hallways. Furthermore, if a charter school leases space from a sectarian organization, the charter school shall not use the name of that organization in the name of the charter school.

At the request of the charter school, the local board of education of the local school administrative unit in which the charter school will be located shall lease any available building or land to the charter school unless the board demonstrates that the lease is not economically or practically feasible or that the local board does not have adequate classroom space to meet its enrollment needs. Notwithstanding any other law, a local board of education may provide a school facility to a charter school free of charge; however, the charter school is responsible for the maintenance of and insurance for the school facility.

(f) Except as provided in this Part and pursuant to the provisions of its ~~contract~~, charter, a charter school is exempt from statutes and rules applicable to a local board of education or local school administrative unit."

Section 5. G.S. 115C-238.29F reads as rewritten:

"§ 115C-238.29F. General requirements.

(a) Health and Safety Standards. -- A charter school shall meet the same health and safety requirements required of a local school administrative unit.

(b) School Nonsectarian. -- A charter school shall be nonsectarian in its programs, admission policies, employment practices, and all other operations and shall not charge ~~tuition~~. tuition or fees. A charter school shall not be affiliated with a nonpublic sectarian school or a religious institution.

(c) Civil Liability and Insurance. --

(1) The board of directors of a charter school may sue and be sued. The State Board of Education shall adopt rules to establish reasonable amounts and types of liability insurance that the board of directors shall be required by the charter to obtain. The board of directors shall obtain at least the amount of and types of insurance required by these rules to be included in the ~~contract~~. charter. Any sovereign immunity of the charter school, of the organization that operates the charter school, or its members, officers, or directors, or of the employees of the charter school or the organization that operates the charter school, is waived to the extent of indemnification by insurance.

- (2) No civil liability shall attach to any chartering entity, to the State Board of Education, or to any of their members or employees, individually or collectively, for any acts or omissions of the charter school. ~~In the event a charter school has not elected total independence from the local board of education under subsection (e) of this section, the immunity established by this subsection shall be deemed to have been waived to the extent of indemnification by insurance, indemnification under Articles 31A and 31B of Chapter 143 of the General Statutes, and to the extent sovereign immunity is waived under the Tort Claims Act, as set forth in Article 31 of Chapter 143 of the General Statutes.~~

(d) Instructional Program. --

- (1) The school shall provide instruction each year for at least 180 days.
- (2) The school shall design its programs to at least meet the student performance standards adopted by the State Board of Education and the student performance standards contained in the ~~contract with the local board of education.~~ charter.
- (3) A charter school shall conduct the student assessments required for charter schools by the State Board of Education.
- (4) The school shall comply with policies adopted by the State Board of Education for charter schools relating to the education of children with special needs.
- (5) The school is subject to and shall comply with Article 27 of Chapter 115C of the General ~~Statutes;~~ Statutes, except that a charter school may also exclude a student from the charter school and return that student to another school in the local school administrative unit in accordance with the terms of its ~~contract.~~ charter.

(e) Employees. --

- (1) An employee of a charter school is not an employee of the local school administrative unit in which the charter school is located. The charter school's board of directors shall employ and contract with necessary teachers to perform the particular service for which they are employed in the school; at least seventy-five percent (75%) of these teachers in grades kindergarten through five, at least fifty percent (50%) of these teachers in grades six through eight, and at least fifty

percent (50%) of these teachers in grades nine through 12 shall hold teacher certificates. The board also may employ necessary employees who are not required to hold teacher certificates to perform duties other than teaching and may contract for other services. The board may discharge teachers and noncertificated employees.

(2) No local board of education shall require any employee of the local school administrative unit to be employed in a charter school.

(3) If a teacher employed by a local school administrative unit makes a written request for an extended leave of absence to teach at a charter school, the local school administrative unit shall grant the leave. The local school administrative unit shall grant a leave for any number of years requested by the teacher, shall extend the leave for any number of years requested by the teacher, and shall extend the leave at the teacher's request. The For the initial year of a charter school's operation, the local school administrative unit may require that the request for a leave or extension of leave be made up to 45 days before the teacher would otherwise have to report for duty. For subsequent years, the local school administrative unit may require that the request for a leave or extension of leave be made up to 90 days before the teacher would otherwise have to report for duty. A teacher who has career status under G.S. 115C-325 prior to receiving an extended leave of absence to teach at a charter school may return to a public school in the local school administrative unit with career status at the end of the leave of absence or upon the end of employment at the charter school if an appropriate position is available. If an appropriate position is unavailable, the teacher's name shall be placed on a list of available teachers and that teacher shall have priority on all positions for which that teacher is qualified in accordance with G.S. 115C-325(e)(2).

(4) ~~In the event a charter school, in its application, elects total independence from the local board of education, its employees shall not be deemed to be employees of the local school administrative unit and shall not be entitled to any State funded employee benefits,~~

~~including membership in the North Carolina Teachers' and State Employees' Retirement System or the Teachers' and State Employees' Comprehensive Major Medical Plan. In the event a charter school, in its application, agrees to be subject to some supervision and control of its administrative operations by the local board of education, the~~ The employees of the charter school shall be deemed employees of the local school administrative unit for purposes of providing certain State-funded employee benefits, including membership in the Teachers' and State Employees' Retirement System and the Teachers' and State Employees' Comprehensive Major Medical Plan. ~~The Board of Trustees of the Teachers' and State Employees' Retirement System, in consultation with the State Board of Education, shall determine the degree of supervision and control necessary to qualify the employees of the applicant for membership in the Retirement System.~~ The State Board of Education provides funds to charter schools, approves the original members of the boards of directors of the charter schools, has the authority to grant, supervise, and revoke charters, and demands full accountability from charter schools for school finances and student performance. Accordingly, it is the determination of the General Assembly that charter schools are public schools and that the employees of charter schools are public school employees and are 'teachers' for purposes of membership in the North Carolina Teachers' and State Employees' Retirement System and State Employees' Comprehensive Major Medical Plan. In no event shall anything contained in this Part require the North Carolina Teachers' and State Employees' Retirement System to accept employees of a private employer as members or participants of the System.

(f) Accountability. --

- (1) The school is subject to the financial audits, the audit procedures, and the audit requirements adopted by the State Board of Education for charter schools.
- (2) The school shall comply with the reporting requirements established by the State Board of Education in the Uniform Education Reporting System.

(3) The school shall report at least annually to the chartering entity and the State Board of Education the information required by the chartering entity or the State Board.

(g) Admission Requirements. --

(1) Any child who is qualified under the laws of this State for admission to a public school is qualified for admission to a charter school.

(2) No local board of education shall require any student enrolled in the local school administrative unit to attend a charter school.

(3) Admission to a charter school shall not be determined according to the school attendance area in which a student resides, except that any local school administrative unit in which a public school converts to a charter school shall give admission preference to students who reside within the former attendance area of that school.

(4) Admission to a charter school shall not be determined according to the local school administrative unit in which a student resides, ~~except that the provisions of G.S. 115C 366(d) shall apply to a student who wishes to attend a charter school in a county other than the county in which the student resides.~~

(5) A charter school shall not discriminate against any student on the basis of ethnicity, national origin, gender, or disability. Except as otherwise provided by law or the mission of the school as set out in the ~~contract~~, charter, the school shall not limit admission to students on the basis of intellectual ability, measures of achievement or aptitude, athletic ability, disability, race, creed, gender, national origin, religion, or ancestry. The charter school may give enrollment priority to siblings of currently enrolled students who were admitted to the charter school in a previous year and to children of the school's principal, teachers, and teacher assistants. In addition, and only for its first year of operation, the charter school may give enrollment priority to children of the initial members of the charter school's board of directors, so long as (i) these children are limited to no more than ten percent (10%) of the school's total enrollment or to 20 students, whichever is less, and (ii) the charter school is not a former public or

private school. Within one year after the charter school begins operation, the population of the school shall reasonably reflect the racial and ethnic composition of the general population residing within the local school administrative unit in which the school is located or the racial and ethnic composition of the special population that the school seeks to serve residing within the local school administrative unit in which the school is located. The school shall be subject to any court-ordered desegregation plan in effect for the local school administrative unit.

- (6) ~~The~~ During each period of enrollment, the charter school shall enroll an eligible student who submits a timely application, unless the number of applications exceeds the capacity of a program, class, grade level, or building. In this case, students shall be accepted by lot. Once enrolled, students are not required to reapply in subsequent enrollment periods.

- (7) Notwithstanding any law to the contrary, a charter school may refuse admission to any student who has been expelled or suspended from a public school under G.S. 115C-391 until the period of suspension or expulsion has expired.

(h) Transportation. -- The charter school shall provide transportation for students enrolled at the school who reside in the local school administrative unit in which the school is located. The charter school may provide transportation for students enrolled at the school who reside in different local school administrative units. school. The charter school shall develop a transportation plan so that transportation is not a barrier to any student who resides in the local school administrative unit in which the school is located. The charter school is not required to provide transportation to any student who lives within one and one-half miles of the school. At the request of the charter school and if the local board of the local school administrative unit in which the charter school is located operates a school bus system, then that local board may contract with the charter school to provide transportation in accordance with the charter school's transportation plan to students who reside in the local school administrative unit and who reside at least one and one-half miles of the charter school. A local board may charge the charter school a reasonable charge that is sufficient to cover the cost of providing this transportation. Furthermore, a local board may refuse to provide transportation under this subsection if it demonstrates there is no available space on buses it intends

to operate during the term of the contract or it would not be practically feasible to provide this transportation.

(i) Assets. -- Upon dissolution of the charter school or upon the nonrenewal of the charter, all net assets of the charter school purchased with public funds shall be deemed the property of the local school administrative unit in which the charter school is located."

Section 6. G.S. 115C-238.29G reads as rewritten:

"§ 115C-238.29G. Causes for nonrenewal or ~~termination~~, termination; disputes.

(a) The State Board of Education, or a chartering entity subject to the approval of the State Board of Education, may terminate or not renew a contract charter upon any of the following grounds:

- (1) Failure to meet the requirements for student performance contained in the ~~contract~~; charter;
- (2) Failure to meet generally accepted standards of fiscal management;
- (3) Violations of law;
- (4) Material violation of any of the conditions, standards, or procedures set forth in the ~~contract~~; charter;
- (5) Two-thirds of the faculty and instructional support personnel at the school request that the ~~contract~~ charter be terminated or not renewed; or
- (6) Other good cause identified.

(b) The State Board of Education shall develop and implement a process to address contractual and other grievances between a charter school and its chartering ~~entity~~ entity or the local board of education during the time of its charter.

(c) The State Board and the charter school are encouraged to make a good-faith attempt to resolve the differences that may arise between them. They may agree to jointly select a mediator. The mediator shall act as a neutral facilitator of disclosures of factual information, statements of positions and contentions, and efforts to negotiate an agreement settling the differences. The mediator shall, at the request of either the State Board or a charter school, commence a mediation immediately or within a reasonable period of time. The mediation shall be held in accordance with rules and standards of conduct adopted under Chapter 7A of the General Statutes governing mediated settlement conferences but modified as appropriate and suitable to the resolution of the particular issues in disagreement.

Notwithstanding Article 33C of Chapter 143 of the General Statutes, the mediation proceedings shall be conducted in private. Evidence of statements made and conduct occurring in a mediation are not subject to discovery and are inadmissible in any court action. However, no evidence otherwise discoverable is inadmissible merely because it is presented or

discussed in a mediation. The mediator shall not be compelled to testify or produce evidence concerning statements made and conduct occurring in a mediation in any civil proceeding for any purpose, except disciplinary hearings before the State Bar or any agency established to enforce standards of conduct for mediators. The mediator may determine that an impasse exists and discontinue the mediation at any time. The mediator shall not make any recommendations or public statement of findings or conclusions. The State Board and the charter school shall share equally the mediator's compensation and expenses. The mediator's compensation shall be determined according to rules adopted under Chapter 7A of the General Statutes."

Section 7. G.S. 115C-238.29H(a) reads as rewritten:

"(a) The State Board of Education shall allocate to each charter school (i) an amount equal to the average per pupil allocation for average daily membership from the local school administrative unit allotments in which the charter school is located for each child attending the charter school except for the allocation for children with special needs and (ii) an additional amount for each child attending the charter school who is a child with special needs. In accordance with G.S. 115C-238.29D(d), the State Board shall allow for annual adjustments to the amount allocated to a charter school based on its enrollment growth in school years subsequent to the initial year of operation.

In the event a child with special needs leaves the charter school and enrolls in a public school during the first 60 school days in the school year, the charter school shall return a pro rata amount of funds allocated for that child to the State Board, and the State Board shall reallocate those funds to the local school administrative unit in which the public school is located. In the event a child with special needs enrolls in a charter school during the first 60 school days in the school year, the State Board shall allocate to the charter school the pro rata amount of additional funds for children with special needs.

(a1) Funds allocated by the State Board of Education shall not be used to purchase land or buildings. may be used to enter into operational and financing leases for real property or mobile classroom units for use as school facilities for charter schools and may be used for payments on loans made to charter schools for facilities or equipment. However, State funds shall not be used to obtain any other interest in real property or mobile classroom units. No indebtedness of any kind incurred or created by the charter school shall constitute an indebtedness of the State or its political subdivisions, and no indebtedness of the charter school shall involve or be secured by the faith, credit, or taxing power of the State or its political subdivisions. Every contract or lease into which a charter school enters

shall include the previous sentence. The school also may own land and buildings it ~~obtained~~ obtains through non-State sources."

Section 8. G.S. 115C-238.29I(d) reads as rewritten:

"(d) The State Board of Education may establish a Charter School Advisory Committee to assist with the implementation of this Part. The Charter School Advisory Committee may (i) provide technical assistance to chartering entities or to potential applicants, (ii) review applications for preliminary approval, (iii) make recommendations as to whether the State Board should approve applications for charter schools, (iv) make recommendations as to whether the State Board should terminate or not renew a ~~contract~~, charter, (v) make recommendations concerning grievances between a charter school and its chartering entity, the State Board, or a local board, (vi) assist with the review under subsection (c) of this section, and (vii) provide any other assistance as may be required by the State Board."

Section 9. G.S. 115C-238.29I is amended by adding the following new subsection to read:

"(e) Notwithstanding the dates set forth in this Part, the State Board of Education may establish an alternative time line for the submission of applications, preliminary approvals, criminal record checks, appeals, and final approvals so long as the Board grants final approval by March 15 of each calendar year."

Section 10. G.S. 115C-238.29J(a) reads as rewritten:

"(a) Local boards of education are authorized and encouraged to provide administrative and evaluative support to charter schools located within their local school administrative ~~units and to contract with those charter schools to provide student transportation.~~ units."

Section 11. G.S. 135-8(b) reads as rewritten:

"(b) Annuity Savings Fund. -- The annuity savings fund shall be a fund in which shall be accumulated contributions from the compensation of members to provide for their annuities. Contributions to any payments from the annuity savings fund shall be made as follows:

- (1) Prior to the first day of July, 1947, each employer shall cause to be deducted from the salary of each member on each and every payroll of such employer for each and every payroll period four per centum (4%) of his actual compensation; and the employer also shall deduct four per centum (4%) of any compensation received by any member for teaching in public schools, or in any of the institutions, agencies or departments of the State, from salaries other than the appropriations from the State of North Carolina. On and after such date the rate so deducted shall be five per centum (5%)

of actual compensation except that, with respect to each member who is eligible for coverage under the Social Security Act in accordance with the agreement entered into during 1955 in accordance with the provisions of Article 2 of Chapter 135 of Volume 17 of the General Statutes, as amended, and with respect to members covered under G.S. 135-27, with such coverage retroactive to January 1, 1955, such deduction shall, commencing with the first day of the period of service with respect to which such agreement is effective, be at the rate of three per centum (3%) of the part of his actual compensation not in excess of the amount taxable to him under the Federal Insurance Contributions Act as from time to time in effect plus five per centum (5%) of the part of his earnable compensation not so taxable; provided that in the case of any member so eligible and receiving compensation from two or more employers such deductions may be adjusted under such rules as the Board of Trustees may establish so as to be as nearly equivalent as practicable to the deductions which would have been made had the member received all of such compensation from one employer. Notwithstanding the foregoing, the Board of Trustees may in its discretion cause such portion as it may determine of deductions made between January 1, 1955, and December 1, 1955, to be transferred into the contribution fund established under G.S. 135-24; such amounts so transferred shall in that event be deemed to be taxes contributed by employees as required under Article 2, Chapter 135 of Volume 17 of the General Statutes as amended, and shall be in lieu of contributions otherwise payable in the same amount as so required.

Notwithstanding the foregoing, effective July 1, 1963, with respect to the period of service commencing on July 1, 1963, and ending December 31, 1965, the rates of such deduction shall be four per centum (4%) of the portion of compensation not in excess of forty-eight hundred dollars (\$4,800) and six per centum (6%) of the portion of compensation in excess of forty-eight hundred dollars (\$4,800); and with respect to the period of service commencing January 1, 1966, and ending June 30, 1967, the rate of such deductions shall be four

per centum (4%) of the portion of compensation not in excess of fifty-six hundred dollars (\$5,600) and six per centum (6%) of the portion of compensation in excess of fifty-six hundred dollars (\$5,600); and with respect to the period of service commencing July 1, 1967, and ending June 30, 1975, the rate of such deductions shall be five per centum (5%) of the portion of compensation not in excess of fifty-six hundred dollars (\$5,600) and six per centum (6%) of the portion of compensation in excess of fifty-six hundred dollars (\$5,600). Such rates shall apply uniformly to all members of the Retirement System, without regard to their coverage under the Social Security Act.

Notwithstanding the foregoing, effective July 1, 1975, with respect to the period of service commencing on July 1, 1975, the rate of such deductions shall be six per centum (6%) of the compensation received by any member. Such rates shall apply uniformly to all members of the Retirement System, without regard to their coverage under the Social Security Act.

- (2) The deductions provided for herein shall be made notwithstanding that the minimum compensation provided for by law for any member shall be reduced thereby. Every member shall be deemed to consent and agree to the deductions made and provided for herein and shall receipt for his full salary or compensation, and payment of salary or compensation less said deduction shall be a full and complete discharge and acquittance of all claims and demands whatsoever for the services rendered by such person during the period covered by such payment, except as to the benefits provided under this Chapter. The employer shall certify to the Board of Trustees on each and every payroll or in such other manner as the Board of Trustees may prescribe, the amounts to be deducted; and each of said amounts shall be deducted, and when deducted shall be paid into said annuity savings fund, and shall be credited, together with regular interest thereon, to the individual account of the member from whose compensation said deduction was made.

- (3) Each board of education of each county and each board of education of each city, and the employer in any department, agency or institution of the State, in which

any teacher receives compensation from sources other than appropriations of the State of North Carolina shall deduct from the salaries of these teachers paid from sources other than State appropriations an amount equal to that deducted from the salaries of the teachers whose salaries are paid from State funds, and remit this amount to the State Retirement System. City boards of education and county boards of education in each and every county and city which has employees compensated from other than the State appropriation shall pay to the State Retirement System the same per centum of the compensation that the State of North Carolina pays and shall transmit same to the State Retirement System monthly: Provided, that for the purpose of enabling the boards of education to make such payment, the tax-levying authorities are hereby authorized, empowered and directed to provide the necessary funds therefor. In case the salary is paid in part from State funds and in part from local funds, the local authorities shall not be relieved of providing and remitting the same per centum of the salary paid from local funds as is paid from State funds. In case the entire salary of any teacher, as defined in this Chapter, is paid from county or local funds, the county or city paying such salary shall provide and remit to the Retirement System the same per centum that would be required if the salary were provided by the State of North Carolina.

- (4) In addition to contributions deducted from compensation as hereinbefore provided, subject to the approval of the Board of Trustees, any member may redeposit in the annuity savings fund by a single payment an amount equal to the total amount which he previously withdrew therefrom, as provided in this Chapter. Such amounts so redeposited shall become a part of his accumulated contributions as if such amounts had initially been contributed within the calendar year of such redeposit. In no event, however, shall any member be permitted to redeposit any amount withdrawn after July 1, 1959, except as provided for in G.S. 135-4(e).
- (5) The Board of Trustees may approve the purchase of creditable service by any member for leaves of absence

or for interrupted service to an employer for the sole purpose of acquiring knowledge, talents, or abilities and to increase the efficiency of service to the employer. This approval shall be made prior to the purchase of the creditable service, is limited to a career total of six years for each member, and may be obtained in the following manner:

- a. Approved leave of absence. -- Where the employer grants an approved leave of absence, a member may make monthly contributions to the annuity savings fund on the basis of compensation the member was earning immediately prior to such leave of absence. The employer shall make monthly contributions equal to the normal and accrued liability contribution on such compensation or, in lieu thereof, the member may pay into the annuity savings fund monthly an amount equal to the employer's normal and accrued liability contribution when the policy of the employer is not to make such payment.
- b. No educational leave policy. -- Where the employer has a policy of not granting educational leaves of absence or the member has unsuccessfully petitioned for leave of absence and the member has interrupted service for educational purposes, the member may make monthly contributions into the annuity savings fund in an amount equal to the employee contribution plus the employer normal and accrued liability contribution on the basis of the compensation the member was earning immediately prior to the interrupted service.
- c. Educational program prior to July 1, 1981. -- Creditable service for leaves of absence or interrupted service for educational purposes prior to July 1, 1981, may be purchased by a member, before or after retirement, who returned as a contributing employee or teacher within 12 months after completing the educational program and completed 10 years of subsequent membership service, by making a lump sum payment into the annuity savings fund equal to the full cost of the service credits calculated on the basis of the

assumptions used for purposes of the actuarial valuation of the system's liabilities and shall take into account the retirement allowance arising on account of the additional service credit commencing at the earliest age at which the member could retire on an unreduced retirement allowance as determined by the Board of Trustees upon the advice of the consulting actuary, plus a fee to be determined by the Board of Trustees.

- d. Employment in a charter school. -- Notwithstanding subparagraph a. of this subdivision, where the employer grants an approved leave of absence for the member to be employed in a charter school or where the member's service is interrupted by employment in a charter school, authorized under Part 6A of Article 16 of Chapter 115C of the General Statutes, the member may make monthly contributions into the annuity savings fund in an amount equal to the employee contribution plus the employer normal and accrued liability contribution on the basis of the compensation the member was earning immediately prior to the interrupted service.

Payments required to be made by the ~~member and/or the employer~~ member, the employer, or both under subparagraphs a or b are due by the 15th of the month following the month for which the service credit is allowed and payments made after the due date shall be assessed a penalty, in lieu of interest, of one percent (1%) per month or fraction thereof the payment is made beyond the due date; provided, that these payments shall be made prior to retirement and provided further, that if the member did not become a contributing member within 12 months after completing the educational program and failed to complete three years of subsequent membership service, except in the event of death or disability, any payment made by the member including penalty shall be refunded with regular interest thereon and the service credits cancelled prior to or at retirement.

- (6) The contributions of a member, and such interest as may be allowed thereon, paid upon his death or withdrawn by him as provided in this Chapter, shall be

paid from the annuity savings fund, and any balance of the accumulated contributions of such a member shall be transferred to the pension accumulation fund."

Section 12. The Board of Trustees of the North Carolina Teachers' and State Employees' Retirement System through the Office of the Attorney General shall request a letter of determination or ruling from the Internal Revenue Service, United States Department of Treasury, as to whether the status of the North Carolina Teachers' and State Employees' Retirement System as a governmental plan would be adversely affected by the participation of employees of charter schools. The request shall be made to the Internal Revenue Service after it is approved by the Speaker of the House of Representatives and the President Pro Tempore of the Senate or their designees and no later than 30 days after the effective date of this act. Employees of charter schools are eligible for participation in the North Carolina Teachers' and State Employees' Retirement System upon the first day of the calendar month following the State's receipt of a favorable letter of determination or ruling.

Section 13. G.S. 115C-238.29F(e)(4), as amended by Section 5 of this act, is effective on the first day of the calendar month following the State's receipt of a favorable letter of determination or ruling from the Internal Revenue Service, United States Department of Treasury, under Section 12 of this act. The remainder of this act is effective when it becomes law.

CONFERENCE COMMITTEE SUBSTITUTE FOR SENATE BILL 316

PCCSX8733, A BILL TO BE ENTITLED AN ACT TO AMEND THE WILLIAM S. LEE QUALITY JOBS AND BUSINESS EXPANSION ACT.

The General Assembly of North Carolina enacts:

Section 1. Article 3A of Chapter 105 of the General Statutes reads as rewritten:

"ARTICLE 3A.

"Tax Incentives for New and Expanding Businesses.

"§ 105-129.2. (Repealed effective January 1, 2002 – see note) Definitions.

The following definitions apply in this Article:

- (1) ~~Cost. Defined in section 179 of the Code.~~ Air courier services.
-- Defined in the Standard Industrial Classification Manual

issued by the United States Office of Management and Budget.

(1a) Central administrative office. -- Defined in the Standard Industrial Classification Manual issued by the United States Office of Management and Budget.

(1b) Cost. -- Determined pursuant to regulations adopted under section 1012 of the Code.

(2) Data processing. -- Defined in the Standard Industrial Classification Manual issued by the United States ~~Bureau of the Census~~ Office of Management and Budget.

(3) Enterprise tier. -- The classification assigned to an area pursuant to G.S. 105-129.3.

(4) Full-time job. -- A position that requires at least 1,600 hours of work per year and is intended to be held by one employee during the entire year. A full-time employee is an employee who holds a full-time job.

(5) Machinery and equipment. -- Engines, machinery, tools, and implements that are capitalized by the taxpayer for tax purposes under the Code and are used or designed to be used in ~~manufacturing or processing, warehousing and distribution, or data processing~~ the business for which the credit is claimed. The term does not include real property as defined in G.S. 105-273 or rolling stock as defined in G.S. 105-333.

(6) Manufacturing and processing. -- Defined in the Standard Industrial Classification Manual issued by the United States ~~Bureau of the Census~~ Office of Management and Budget.

(7) Purchase. -- Defined in section 179 of the Code.

(8) Warehousing and distribution. -- Defined in the Standard Industrial Classification Manual issued by the United States ~~Bureau of the Census~~ Office of Management and Budget.

"§ 105-129.3. (Repealed effective January 1, 2002) Enterprise tier designation.

(a) Tiers Defined. -- An enterprise tier one area is a county whose enterprise factor is one of the 10 highest in the State. An enterprise tier two area is a county whose enterprise factor is one of the next 15 highest in the State. An enterprise tier three area is a county whose enterprise factor is one of the next 25 highest in the State. An enterprise tier four area is a county whose enterprise factor is one of the next 25 highest in the State. An enterprise tier five area is any area that is not in a lower-numbered enterprise tier.

(b) Annual Designation. -- Each year, on or before December 31, the Secretary of Commerce shall assign to each county in the State an enterprise factor that is the sum of the following:

- (1) The county's rank in a ranking of counties by average rate of unemployment from lowest to highest, highest, for the preceding three years.
- (2) The county's rank in a ranking of counties by average per capita income from highest to lowest, lowest, for the preceding three years.
- (3) The county's rank in a ranking of counties by percentage growth in population from highest to lowest.

The Secretary of Commerce shall then rank all the counties within the State according to their enterprise factor from highest to lowest, identify all the areas of the State by enterprise tier, and provide this information to the Secretary of Revenue. An enterprise tier designation is effective only for the calendar year following the designation.

In measuring rates of unemployment and per capita income, the Secretary shall use the latest available data published by a State or federal agency generally recognized as having expertise concerning the data. In measuring population growth, the Secretary shall use the most recent estimates of population certified by the State Planning Officer.

(c) Exception for Enterprise Tier One Areas. -- Notwithstanding the provisions of this section, an enterprise tier one area may not be redesignated as a higher-numbered enterprise tier area until it has been an enterprise tier one area for at least two consecutive years.

"§ 105-129.4. (Repealed effective January 1, 2002) Eligibility; forfeiture.

(a) Type of Business. -- A taxpayer is eligible for a credit allowed by G.S. 105-129.12 if the real property for which the credit is claimed is used for a central administrative office that creates at least 40 new jobs. A taxpayer is eligible for a credit the other credits allowed by this Article if the taxpayer engages in manufacturing or processing, warehousing or distributing, or data processing, one of the following types of businesses and the jobs with respect to which a credit is claimed are created in that business, the machinery and equipment with respect to which a credit is claimed are used in that business, and the research and development for which a credit is claimed are carried out as part of that business. business:

- (1) Reserved.
- (2) Central administrative office that creates at least 40 new jobs.
- (3) Data processing.
- (4) Manufacturing or processing.
- (5) Warehousing or distribution.

A central administrative office creates at least 40 new jobs if, during the taxable year the taxpayer first uses the property as a central administrative office, the taxpayer hires at least 40 additional full-time employees to fill new positions at the office. Jobs transferred from one area in the State to another area in the State are not considered new jobs for purposes of this subsection.

(b) Wage Standard. -- A taxpayer is eligible for the credit for creating jobs or the credit for worker training if the jobs for which the credit is claimed meet the wage standard at the time the taxpayer applies for the credit. A taxpayer is eligible for the credit for investing in machinery and ~~equipment or~~ equipment, the credit for research and ~~development~~ development, or the credit for investing in real property for a central administrative office if the jobs at the location with respect to which the credit is claimed meet the wage standard at the time the taxpayer applies for the credit. Jobs meet the wage standard if they pay an average weekly wage that is at least ~~ten percent (10%) above the average weekly wage paid in the county in which the jobs will be located. In calculating the average weekly wage of jobs, positions that pay a wage or salary at a rate that exceeds one hundred thousand dollars (\$100,000) a year shall be excluded. For the purpose of this subsection, the average wage in a county is the average wage for all insured industries in the county as computed by the Employment Security Commission for the most recent period for which data are available.~~ equal to the applicable percentage times the applicable average weekly wage for the county in which the jobs will be located, as computed by the Secretary of Commerce from data compiled by the Employment Security Commission for the most recent period for which data are available. The applicable percentage for jobs located in an enterprise tier one area is one hundred percent (100%). The applicable percentage for all other jobs is one hundred ten percent (110%). The applicable average weekly wage is the lowest of the following: (i) the average wage for all insured private employers in the county, (ii) the average wage for all insured private employers in the State, and (iii) the average wage for all insured private employers in the county multiplied by the county income/wage adjustment factor. The county income/wage adjustment factor is the county income/wage ratio divided by the State income/wage ratio. The county income/wage ratio is average per capita income in the county divided by the annualized average wage for all insured private employers in the county. The State income/wage ratio is the average per capita income in the State divided by the annualized average wage for all insured private employers in the State.

(c) Worker Training. -- A taxpayer is eligible for the tax credit for worker training only for training workers who occupy jobs for which the taxpayer is eligible to claim an installment of the credit for creating jobs or

which are full-time positions at a location with respect to which the taxpayer is eligible to claim an installment of the credit for investing in machinery and equipment for the taxable year.

The credit for worker training is allowed only with respect to employees in positions not classified as exempt under the Fair Labor Standards Act, 29 U.S.C. 213(a)(1) and for expenditures for training that would be eligible for expenditure or reimbursement under the Department of Community Colleges' New and Expanding Industry Program, as determined by guidelines adopted by the State Board of Community Colleges. The credit is not allowed for expenditures that are paid or reimbursed by the New and Expanding Industry Program. To establish eligibility, the taxpayer must obtain as part of the application process under G.S. 105-129.6 the certification of the Department of Community Colleges that the taxpayer's planned worker training would satisfy the requirements of this paragraph. A taxpayer shall apply to the Department of Community Colleges for this certification. The application must be on a form provided by the Department of Community Colleges, must provide a detailed plan of the worker training to be provided, and must contain any information required by the Department of Community Colleges to determine whether the requirements of this paragraph will be satisfied. If the Department of Community Colleges determines that the planned worker training meets the requirements of this paragraph, the Department of Community Colleges shall issue a certificate describing the location with respect to which the credit is claimed and stating that the planned worker training meets the requirements of this paragraph. The State Board of Community Colleges may adopt rules in accordance with Chapter 150B of the General Statutes that are needed to carry out its responsibilities under this paragraph.

(d) Forfeiture. -- A taxpayer forfeits a credit allowed under this Article if the taxpayer was not eligible for the credit at the time the taxpayer applied for the credit. A taxpayer that forfeits a credit under this Article is liable for all past taxes avoided as a result of the credit plus interest at the rate established under G.S. 105-241.1(i), computed from the date the taxes would have been due if the credit had not been allowed. The past taxes and interest are due 30 days after the date the credit is forfeited; a taxpayer that fails to pay the past taxes and interest by the due date is subject to the penalties provided in G.S. 105-236. If a taxpayer forfeits the credit for creating jobs or the credit for investing in machinery and equipment, the taxpayer also forfeits any credit for worker training claimed for the jobs for which the credit for creating jobs was claimed or the jobs at the location with respect to which the credit for investing in machinery and equipment was claimed.

(e) Change in Ownership of Business. -- The sale, merger, acquisition, or bankruptcy of a business, or any other transaction by which an existing

business reformulates itself as another business, does not create new eligibility in a succeeding business with respect to credits for which the predecessor was not eligible under this Article. A successor business may, however, take any installment of or carried-over portion of a credit that its predecessor could have taken if it had a tax liability.

"§ 105-129.5. (Repealed effective January 1, 2002) Tax election; cap.

(a) Tax Election. -- The credits provided in this Article are allowed against the franchise tax levied in Article 3 of this Chapter and the income taxes levied in Article 4 of this Chapter. The taxpayer shall elect the tax against which a credit will be claimed when ~~filing the application for the credit.~~ filing the return on which the first installment of the credit is claimed. This election is binding. Any carryforwards of the credit must be claimed against the same ~~tax elected in the application.~~ tax.

(b) Cap. -- The credits allowed under this Article may not exceed fifty percent (50%) of the tax against which they are claimed for the taxable year, reduced by the sum of all other credits allowed against that tax, except tax payments made by or on behalf of the taxpayer. This limitation applies to the cumulative amount of credit, including carryforwards, claimed by the taxpayer under this Article against each tax for the taxable year. Any unused portion of the credit may be carried forward for the succeeding five years.

"§ 105-129.6. (Repealed effective January 1, 2002) Application; reports.

(a) Application. -- To claim the credits allowed by this Article, the taxpayer must provide with the tax return the certification of the Secretary of Commerce that the taxpayer meets all of the eligibility requirements of G.S. 105-129.4 with respect to each credit. A taxpayer shall apply to the Secretary of Commerce for certification of eligibility. The application must be on a form provided by the Secretary of Commerce, ~~must specify the credit and the tax against which it will be claimed,~~ Commerce and must contain any information necessary for the Secretary of Commerce to determine whether the taxpayer meets the eligibility requirements. If the Secretary of Commerce determines that the taxpayer meets all of the eligibility requirements of G.S. 105-129.4 with respect to a credit, the Secretary shall issue a certificate describing the location with respect to which the credit is claimed, ~~specifying the tax against which the credit will be claimed,~~ outlining the eligibility requirements for the credit, and stating that the taxpayer meets the eligibility requirements. If the Secretary of Commerce determines that the taxpayer does not meet all of the eligibility requirements of G.S. 105-129.4 with respect to a credit, the Secretary must advise the taxpayer in writing of the eligibility requirements the taxpayer fails to meet. The Secretary of Commerce may adopt rules in accordance with Chapter 150B of the General Statutes that are needed to carry out the Secretary of Commerce's responsibilities under this section.

(b) Reports. -- The Department of Commerce shall report to the Department of Revenue and to the Fiscal Research Division of the General Assembly by May 1 of each year the following information for the 12-month period ending the preceding April 1:

- (1) The number of applications for each credit allowed in this Article.
- (2) The number and enterprise tier area of new jobs with respect to which credits were applied for.
- (3) The cost of machinery and equipment with respect to which credits were applied for.

"§ 105-129.7. (Repealed effective January 1, 2002) Substantiation.

To claim a credit allowed by this Article, the taxpayer must provide any information required by the Secretary of Revenue. Every taxpayer claiming a credit under this Article shall maintain and make available for inspection by the Secretary of Revenue any records the Secretary considers necessary to determine and verify the amount of the credit to which the taxpayer is entitled. The burden of proving eligibility for the credit and the amount of the credit shall rest upon the taxpayer, and no credit shall be allowed to a taxpayer that fails to maintain adequate records or to make them available for inspection.

"§ 105-129.8. (Repealed effective January 1, 2002) Credit for creating jobs.

(a) Credit. -- A taxpayer that meets the eligibility requirements set out in G.S. 105-129.4, has five or more employees for at least 40 weeks during the taxable year, and hires an additional full-time employee during that year to fill a position located in this State is allowed a credit for creating a new full-time job. The amount of the credit for each new full-time job created is set out in the table below and is based on the enterprise tier of the area in which the position is located:

Area Enterprise Tier	Amount of Credit
Tier One	\$12,500
Tier Two	4,000
Tier Three	3,000
Tier Four	1,000
Tier Five	500

A position is located in an area if more than fifty percent (50%) of the employee's duties are performed in the area. The credit may not be taken in the taxable year in which the additional employee is hired. Instead, the credit shall be taken in equal installments over the four years following the taxable year in which the additional employee was hired and shall be conditioned on the continued employment by the taxpayer of the number of full-time employees the taxpayer had upon hiring the employee that caused the taxpayer to qualify for the credit.

If, in one of the four years in which the installment of a credit accrues, the number of the taxpayer's full-time employees falls below the number of full-time employees the taxpayer had in the year in which the taxpayer qualified for the credit, the credit expires and the taxpayer may not take any remaining installment of the credit. The taxpayer may, however, take the portion of an installment that accrued in a previous year and was carried forward to the extent permitted under G.S. 105-129.5.

Jobs transferred from one area in the State to another area in the State shall not be considered new jobs for purposes of this section. If, in one of the four years in which the installment of a credit accrues, the position filled by the employee is moved to an area in a higher- or lower-numbered enterprise tier, the remaining installments of the credit shall be calculated as if the position had been created initially in the area to which it was moved.

(b) Repealed by Session Laws 1989, c. 111, s. 1.

(b1), (c) Repealed by Session Laws 1996, Second Extra Session, c. 13, s. 3.3.

(d) **Planned Expansion.** -- A taxpayer that signs a letter of commitment with the Department of Commerce to create at least twenty new full-time jobs in a specific area within two years of the date the letter is signed qualifies for the credit in the amount allowed by this section based on the area's enterprise tier for that year even though the employees are not hired that year. The credit shall be available in the taxable year after at least twenty employees have been hired if the hirings are within the two-year commitment period. The conditions outlined in subsection (a) apply to a credit taken under this subsection except that if the area is redesignated to a higher-numbered enterprise tier after the year the letter of commitment was signed, the credit is allowed based on the area's enterprise tier for the year the letter was signed. If the taxpayer does not hire the employees within the two-year period, the taxpayer does not qualify for the credit. However, if the taxpayer qualifies for a credit under subsection (a) in the year any new employees are hired, the taxpayer may take the credit under that subsection.

(e), (f) Repealed by Session Laws 1996, Second Extra Session, c. 13, s. 3.3 for taxable years beginning on or after January 1, 1996.

"§ 105-129.9. (Repealed effective January 1, 2002) Credit for investing in machinery and equipment.

(a) **Credit.** -- A If a taxpayer that has purchased or leased machinery and equipment ~~and~~ places it in service in this State during the taxable ~~year~~ year, the taxpayer is allowed a credit equal to seven percent (7%) of the excess of the eligible investment amount over the applicable threshold. The credit may not be taken for the taxable year in which the equipment is placed in service but shall be taken in equal installments over the seven years following the taxable year in which the equipment is placed in service.

(b) **Eligible Investment Amount.** -- The eligible investment amount is the lesser of (i) the cost of the machinery and equipment and (ii) the amount by which the cost of all of the taxpayer's machinery and equipment that is in service in this State on the last day of the taxable year exceeds the cost of all of the taxpayer's machinery and equipment that was in service in this State on the last day of the base year. The base year is that year, of the three immediately preceding taxable years, in which the taxpayer had the most machinery and equipment in service in this State.

(c) **Threshold.** -- The applicable threshold is the appropriate amount set out in the following table based on the enterprise tier of the area where the machinery and equipment are placed in service during the taxable year. If the taxpayer places machinery and equipment in service in more than one area during the taxable year, the threshold applies separately to the machinery and equipment placed in service in each area.

Area Enterprise Tier	Threshold
Tier One	\$ -0-
Tier Two	100,000
Tier Three	200,000
Tier Four	500,000
Tier Five	1,000,000

(d) **Expiration.** -- If, in one of the seven years in which the installment of a credit accrues, the machinery and equipment with respect to which the credit was claimed are sold, disposed of, taken out of service, or moved out of State, the credit expires and the taxpayer may not take any remaining installment of the credit. The taxpayer may, however, take the portion of an installment that accrued in a previous year and was carried forward to the extent permitted under G.S. 105-129.5.

If, in one of the seven years in which the installment of a credit accrues, the machinery and equipment with respect to which the credit was claimed are moved to an area in a higher-numbered enterprise tier, the remaining installments of the credit are allowed only to the extent they would have been allowed if the machinery and equipment had been placed in service initially in the area to which they were moved.

(e) **Planned Expansion.** -- A taxpayer that signs a letter of commitment with the Department of Commerce to place specific machinery and equipment in service in an area within two years after the date the letter is signed may, in the year the machinery and equipment are placed in service in that area, calculate the credit for which the taxpayer qualifies based on the area's enterprise tier for the year the letter was signed. All other conditions apply to the credit, but if the area has been redesignated to a higher-numbered enterprise tier after the year the letter of commitment was signed, the credit is allowed based on the area's enterprise tier for the year the letter was signed. If the taxpayer does not place part or all of the

specified machinery and equipment in service within the two-year period, the taxpayer does not qualify for the benefit of this subsection with respect to the machinery and equipment not placed in service within the two-year period. However, if the taxpayer qualifies for a credit in the year the machinery and equipment are placed in service, the taxpayer may take the credit for that year as if no letter of commitment had been signed pursuant to this subsection.

"§ 105-129.10. (Repealed effective January 1, 2002) Credit for research and development.

A taxpayer that claims for the taxable year a federal income tax credit under section 41 of the Code for increasing research activities is allowed a credit equal to five percent (5%) of the State's apportioned share of the taxpayer's expenditures for increasing research activities. The State's apportioned share of a taxpayer's expenditures for increasing research activities is the excess of the taxpayer's qualified research expenses for the taxable year over the base amount, as determined under section 41 of the Code, multiplied by a percentage equal to the ratio of the taxpayer's qualified research expenses in this State for the taxable year to the taxpayer's total qualified research expenses for the taxable year. As used in this section, the terms 'qualified research expenses' and 'base amount' have the meaning provided in section 41 of the Code.

"§ 105-129.11. (Repealed effective January 1, 2002) Credit for worker training.

(a) Credit. -- A taxpayer that provides worker training for five or more of its eligible employees during the taxable year is allowed a credit equal to fifty percent (50%) of its eligible expenditures for the training. For positions located in an enterprise tier one area, the credit may not exceed one thousand dollars (\$1,000) per employee trained during the taxable year. For other positions, the credit may not exceed five hundred dollars (\$500.00) per employee trained during the taxable year. A position is located in an area if more than fifty percent (50%) of the employee's duties are performed in the area.

(b) Eligibility. -- The eligibility of a taxpayer's expenditures and employees is determined as provided in G.S. 105-129.4.

"§ 105-129.12. Credit for investing in central administrative office property.

(a) Credit. -- If a taxpayer that has purchased or leased real property in this State begins to use the property as a central administrative office during the taxable year, the taxpayer is allowed a credit equal to seven percent (7%) of the eligible investment amount. The eligible investment amount is the lesser of (i) the cost of the property and (ii) the amount by which the cost of all of the property the taxpayer is using in this State as central administrative offices on the last day of the taxable year exceeds the cost of

all of the property the taxpayer was using in this State as central administrative offices on the last day of the base year. The base year is that year, of the three immediately preceding taxable years, in which the taxpayer was using the most property in this State as central administrative offices. In the case of property that is leased, the cost of the property is considered to be the taxpayer's lease payments over a seven-year period, plus any expenditures made by the taxpayer to improve the property before it is used as the taxpayer's central administrative office if the expenditures are not reimbursed or credited by the lessor. The maximum credit allowed a taxpayer under this section for property used as a central administrative office is five hundred thousand dollars (\$500,000). The entire credit may not be taken for the taxable year in which the property is first used as a central administrative office but shall be taken in equal installments over the seven years following the taxable year in which the property is first used as a central administrative office. The basis in any real property for which a credit is allowed under this section shall be reduced by the amount of credit allowable.

(b) Mixed Use Property. -- If the taxpayer uses only part of the property as the taxpayer's central administrative office, the amount of the credit allowed under this section is reduced by multiplying it by a fraction the numerator of which is the square footage of the property used as the taxpayer's central administrative office and the denominator of which is the total square footage of the property.

(c) Expiration. -- If, in one of the seven years in which the installment of a credit accrues, the property with respect to which the credit was claimed is no longer used as a central administrative office, the credit expires and the taxpayer may not take any remaining installment of the credit. If, in one of the seven years in which the installment of a credit accrues, part of the property with respect to which the credit was claimed is no longer used as a central administrative office, the remaining installments of the credit shall be reduced by multiplying it by the fraction described in subsection (b) of this section. If, in one of the seven years in which the installment of a credit accrues, the total number of employees the taxpayer employs at all of its central administrative offices in this State drops by 40 or more, the credit expires and the taxpayer may not take any remaining installment of the credit.

In each of these cases, the taxpayer may nonetheless take the portion of an installment that accrued in a previous year and was carried forward to the extent permitted under G.S. 105-129.5."

Section 2. G.S. 105-129.4(a), as amended by Section 1 of this act, reads as rewritten:

"(a) Type of Business. -- A taxpayer is eligible for a credit allowed by G.S. 105-129.12 if the real property for which the credit is claimed is used

for a central administrative office that creates at least 40 new jobs. A taxpayer is eligible for the other credits allowed by this Article if the taxpayer engages in one of the following types of businesses and the jobs with respect to which a credit is claimed are created in that business, the machinery and equipment with respect to which a credit is claimed are used in that business, and the research and development for which a credit is claimed are carried out as part of that business:

- (1) Air courier services.
- (2) Central administrative office that creates at least 40 new jobs.
- (3) Data processing.
- (4) Manufacturing or processing.
- (5) Warehousing or distribution.

A central administrative office creates at least 40 new jobs if, during the taxable year the taxpayer first uses the property as a central administrative office, the taxpayer hires at least 40 additional full-time employees to fill new positions at the office. Jobs transferred from one area in the State to another area in the State are not considered new jobs for purposes of this subsection."

Section 3. Article 3B of Chapter 105 of the General Statutes reads as rewritten:

"ARTICLE 3B.

"Business Tax Credit.

"§ 105-129.15. (Repealed effective January 1, 2002) Definitions.

The following definitions apply in this Article:

- (1) Business property. -- Tangible personal property that is used by the taxpayer in connection with a business or for the production of income and is capitalized by the taxpayer for tax purposes under the Code. The term does not include, however, a luxury passenger automobile taxable under section 4001 of the Code or a watercraft used principally for entertainment and pleasure outings for which no admission is charged.
- (2) Cost. -- Defined Determined pursuant to regulations adopted under section 1012 of the Code, subject to the limitation on cost provided in section 179 of the Code.
- (3) Purchase. -- Defined in section 179 of the Code.

"§ 105-129.16. (Repealed effective January 1, 2002) Credit for investing in business property.

(a) Credit. -- A If a taxpayer that has purchased or leased business property and places it in service in this State during the taxable year year, the taxpayer is allowed a credit equal to four and one-half percent (4.5%) of the cost of the property. The maximum credit allowed a taxpayer for

property placed in service during a taxable year is four thousand five hundred dollars (\$4,500). The entire credit may not be taken for the taxable year in which the property is placed in service but must be taken in five equal installments beginning with the taxable year in which the property is placed in service.

(b) Expiration. -- If, in one of the five years in which the installment of a credit accrues, the business property with respect to which the credit was claimed is sold, disposed of, taken out of service, or moved out of State, the credit expires and the taxpayer may not take any remaining installment of the credit. The taxpayer may, however, take the portion of an installment that accrued in a previous year and was carried forward to the extent permitted under G.S. 105-129.17.

(c) No Double Credit. -- A taxpayer that claims the credit allowed under Article 3A of this Chapter with respect to business property may not take the credit allowed in this section with respect to the same property. A taxpayer may not take the credit allowed in this section for business property the taxpayer leases from another unless the taxpayer obtains the lessor's written certification that the lessor will not capitalize the property for tax purposes under the Code and the lessor will not claim the credit allowed in this section with respect to the property.

"§ 105-129.17. (Repealed effective January 1, 2002) Tax election; cap.

(a) Tax Election. -- The credit allowed in this Article is allowed against the franchise tax levied in Article 3 of this Chapter or the income taxes levied in Article 4 of this Chapter. The taxpayer must elect the tax against which the credit will be claimed when filing the return on which the first installment of the credit is claimed. This election is binding. Any carryforwards of the credit must be claimed against the same tax.

(b) Cap. -- The credit allowed in this Article may not exceed fifty percent (50%) of the tax against which it is claimed for the taxable year, reduced by the sum of all other credits allowed against that tax, except tax payments made by or on behalf of the taxpayer. This limitation applies to the cumulative amount of credit, including carryforwards, claimed by the taxpayer under this Article against each tax for the taxable year. Any unused portion of the credit may be carried forward for the succeeding five years.

"§ 105-129.18. (Repealed effective January 1, 2002) Substantiation.

To claim the credit allowed by this Article, the taxpayer must provide any information required by the Secretary of Revenue. Every taxpayer claiming a credit under this Article must maintain and make available for inspection by the Secretary of Revenue any records the Secretary considers necessary to determine and verify the amount of the credit to which the taxpayer is entitled. The burden of proving eligibility for the credit and the amount of the credit rests upon the taxpayer, and no credit may be allowed

to a taxpayer that fails to maintain adequate records or to make them available for inspection.

"§ 105-129.19. (Repealed effective January 1, 2002) Reports.

The Department of Revenue shall report to the Legislative Research Commission and to the Fiscal Research Division of the General Assembly by May 1 of each year the following information for the 12-month period ending the preceding April 1:

- (1) The number of taxpayers that claimed the credit allowed in this Article.
- (2) The cost of business property with respect to which credits were claimed.
- (3) The total cost to the General Fund of the credits claimed."

Section 4. (a) The Department of Commerce shall study the effect of the tax incentives provided in the William S. Lee Quality Jobs and Business Expansion Act, codified as Article 3A of Chapter 105 of the General Statutes, on tax equity. This study shall include the following:

- (1) Reexamining the formula in G.S. 105-129.3(b) used to define enterprise tiers, to include consideration of alternative measures for more equitable treatment of counties in similar economic circumstances.
- (2) Considering whether the assignment of tiers and the applicable thresholds are equitable for smaller counties, for example those under 50,000 in population.
- (3) Compiling any available data on whether expanding North Carolina businesses receive fewer benefits than out-of-State businesses that locate to North Carolina.

(b) The Department of Commerce shall study the effectiveness of the tax incentives provided in the William S. Lee Quality Jobs and Business Expansion Act, codified as Article 3A of Chapter 105 of the General Statutes. This study shall include:

- (1) Study of the distribution of tax incentives across new and expanding industries.
- (2) Examination of data on economic recruitment for the period 1994 through 1998 by county, by industry type, by size of investment, and by number of jobs, and other relevant information to determine the pattern of business locations and expansions before and after the enactment of the William S. Lee Act incentives.
- (3) Measuring the direct costs and benefits of the tax incentives.
- (4) Compiling available information on the current use of incentives by other states and whether that use is increasing or declining.

(c) The Department of Commerce shall report the results of these studies and its recommendations to the 1999 General Assembly by April 1, 1999.

Section 5. G.S. 105-129.3(c), as enacted by this act, is effective when this act becomes law and, notwithstanding G.S. 105-129.3(b), applies retroactively to designations for the 1997 and later calendar years; the other amendments to G.S. 105-129.3 made by this act are effective when this act becomes law and apply to designations for the 1998 and later calendar years. The amendments to G.S. 105-129.5 and G.S. 105-129.6 made by Section 1 of this act are effective for taxable years beginning on or after January 1, 1996. G.S. 105-129.9(e), as enacted by Section 1 of this act, and Section 2 of this act become effective for taxable years beginning on or after January 1, 1998. G.S. 105-129.12, as enacted by Section 1 of this act, and the amendments to G.S. 105-129.4(a) made by Section 1 of this act are effective for taxable years beginning on or after January 1, 1997, and apply to property that the taxpayer begins to use as a central administrative office on or after October 1, 1997. Section 4 of this act is effective when this act becomes law. The remainder of this act is effective for taxable years beginning on or after January 1, 1997.

CONFERENCE COMMITTEE SUBSTITUTE FOR SENATE BILL 442

PCCS 7851, A BILL TO BE ENTITLED AN ACT TO ENSURE THAT PUBLIC SCHOOL STUDENTS RECEIVE ACCURATE INSTRUCTION ON OUR AMERICAN HISTORY.

The General Assembly of North Carolina enacts:

Section 1. G.S. 115C-81(g) reads as rewritten:

"(g) Civic Literacy. --

- (1) Local boards of education shall require during the high school years the teaching of the nation's founding and related documents, which shall include at least the major principles in the Declaration of Independence, the United States Constitution and its amendments, and the most important of the Federalist Papers.
- (2) Local boards of education shall require that high school students demonstrate knowledge and understanding of the nation's founding and related documents in order to receive a certificate or diploma of graduation from high school.

- (3) Local boards of education shall include among the requirements for graduation from high school a passing grade in all courses that include primary instruction in the Declaration of Independence, the United States Constitution and its amendments, and the most important of the Federalist Papers.
- (3a) Local boards of education shall allow and may encourage any public school teacher or administrator to read or post in a public school building, classroom, or event, excerpts or portions of writings, documents, and records that reflect the history of the United States, including, but not limited to, (i) the preamble to the North Carolina Constitution, (ii) the Declaration of Independence, (iii) the United States Constitution, (iv) the Mayflower Compact, (v) the national motto, (vi) the National Anthem, (vii) the Pledge of Allegiance, (viii) the writings, speeches, documents, and proclamations of the founding fathers and Presidents of the United States, (ix) decisions of the Supreme Court of the United States, and (x) acts of the Congress of the United States, including the published text of the Congressional Record. Local boards, superintendents, principals, and supervisors shall not allow content-based censorship of American history in the public schools of this State, including religious references in these writings, documents, and records. Local boards and professional school personnel may develop curricula and use materials that are limited to specified topics provided the curricula and materials are aligned with the standard course of study or are grade level appropriate."
- (4) The State Board of Education shall require that any high school level curriculum-based tests developed and administered statewide beginning with academic year 1990-91 include questions related to the Declaration of Independence, the United States Constitution and its amendments, and the most important of the Federalist Papers.
- (5) The State Department of Public Instruction and the local boards of education, as appropriate, shall establish curriculum content and provide for teacher training to ensure that the intent and provisions of this subsection are carried out. The curriculum content established

shall include a review of the contributions made by Americans of all ~~rac~~es ~~during the period in which our nation was founded.~~ ~~rac~~es."

Section 2. The State Board of Education shall adopt a policy by November 30, 1997, to ensure that the textbooks it adopts have no content-based censorship of American history, including religious references. The State Board may adopt textbooks that are limited to specified topics provided the textbooks are aligned with the standard course of study or are grade level appropriate.

Section 3. The State Board of Education shall provide a copy of this act to each local school superintendent in the State, and each local school superintendent shall ensure that school personnel within the unit are informed about the act.

Section 4. This act is effective when it becomes law.

CONFERENCE COMMITTEE SUBSTITUTE FOR SENATE BILL 556

PCCS 6710, A BILL TO BE ENTITLED AN ACT REGARDING REQUIREMENTS FOR SPRINKLER SYSTEMS IN FRATERNITY AND SORORITY HOUSES WITHIN THE CITIES OF CHARLOTTE, GREENSBORO, AND RALEIGH AND WITHIN THEIR EXTRATERRITORIAL PLANNING JURISDICTION.

The General Assembly of North Carolina enacts:

Section 1. Section 2 of Chapter 571 of the 1995 Session Laws reads as rewritten:

"Sec. 2. This act applies to the Cities of Charlotte, Greensboro, and Raleigh and the Towns of Chapel Hill and Carrboro only."

Section 2. This act is effective when it becomes law.

CONFERENCE COMMITTEE SUBSTITUTE FOR SENATE BILL 725

PCCS 1895, A BILL TO BE ENTITLED AN ACT PERTAINING TO THE FILING OF A DEFERRED CHARGE WITH THE EEOC OR THE OFFICE OF ADMINISTRATIVE HEARINGS BY STATE OR LOCAL GOVERNMENT EMPLOYEES AND AMENDING CHAPTER 143 OF

THE GENERAL STATUTES TO PROVIDE FOR AN INCENTIVE BONUS PROGRAM TO RECOGNIZE AND REWARD THE COST- SAVING AND REVENUE-INCREASING INITIATIVES AND INNOVATIONS OF STATE EMPLOYEES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 7A-759 reads as rewritten:

"§ 7A-759. Role as deferral agency.

(a) The Office of Administrative Hearings is designated to serve as the State's deferral agency for cases deferred by the Equal Employment Opportunity Commission to the Office of Administrative Hearings as provided in Section 706 of the Civil Rights Act of 1964, 42 U.S.C. § 2000e-5, the Age Discrimination in Employment Act, 29 U.S.C. § 621 et seq., and the Americans with Disabilities Act, 42 U.S.C. § 12101 et seq. for charges filed by State or local government employees covered under Chapter 126 of the General Statutes and shall have all of the powers and authority necessary to function as a deferral agency.

(b) The Chief Administrative Law Judge is authorized and directed to contract with the Equal Employment Opportunity Commission for the Office of Administrative Hearings to serve as a deferral agency and to establish and maintain a Civil Rights Division in the Office of Administrative Hearings to carry out the functions of a deferral agency.

(b1) As provided in the contract between the Office of Administrative Hearings and the Equal Employment Opportunity Commission, a deferred charge for purposes of 42 U.S.C. § 2000e- 5(c) or (d) is a charge that is filed by a State or local government employee covered under Chapter 126 of the General Statutes and alleges an unlawful employment practice prohibited under that Chapter or any other State law. A deferred charge may be filed with either agency.

The date a deferred charge is filed with either agency is considered to be a commencement of proceedings under State law for purposes of 42 U.S.C. § 2000e-5(c) or (d). The filing of a deferred charge automatically tolls the time limit under G.S. 126-7.2, 126-35, 126-38, and 150B-23(f) and any other State law that sets a time limit for filing a contested case under Article 3 of Chapter 150B of the General Statutes alleging an unlawful employment practice. These time limits are tolled until the completion of the investigation and of any informal methods of resolution pursued pursuant to subsection (d) of this section.

(c) In investigating charges an employee of the Civil Rights Division of the Office of Administrative Hearings specifically designated by an order of the Chief Administrative Law Judge filed in the pending case may administer oaths and affirmations.

(c1) In investigating charges, an employee of the Civil Rights Division shall have access at reasonable times to State premises, records, and

documents relevant to the charge and shall have the right to examine, photograph, and copy evidence. Any challenge to the Civil Rights Division to investigate the deferred charge shall not constitute grounds for denial or refusal to produce or allow access to the investigative evidence.

(d) Any charge not resolved by informal methods of conference, conciliation or persuasion ~~shall~~ may be heard as a contested case as provided in Article 3 of Chapter 150B of the General Statutes.

(e) Notwithstanding G.S. 150B-34 and G.S. 150B-36, an order entered by an administrative law judge after a contested case hearing on the merits of a deferred charge is a final agency decision and is binding on the parties. The administrative law judge may order whatever remedial action is appropriate to give full relief consistent with the requirements of federal statutes or ~~regulations~~ regulations or State statutes or rules.

(f) In addition to the authority vested in G.S. 7A-756 and G.S. 150B-33, an administrative law judge may monitor compliance with any negotiated settlement, conciliation agreement or order entered in a deferred case.

(g) The standards of confidentiality established by federal statute or regulation for discrimination charges shall apply to deferred cases investigated or heard by the Office of Administrative Hearings.

(h) Nothing in this section shall be construed as limiting the authority or right of any federal agency to act under any federal statute or regulation.

(i) This section shall be broadly construed to further the general purposes stated in this section and the specific purposes of the particular provisions involved."

Section 2. Chapter 143 of the General Statutes is amended by adding a new Article to read:

"ARTICLE 36A.

"State Employee Incentive Bonus Program.

"§ 143-345.10. Definitions.

The following definitions apply in this Article:

(1) Baseline reversion. -- The two-year historical average of reversions by a State department, agency, or institution.

(2) Employing unit. -- Any of the following:

a. The principal Council of State office or department enumerated in G.S. 143A-11 for which a State employee works.

b. The principal State department enumerated in G.S. 143B-6 for which a State employee works.

c. The constituent institution of The University of North Carolina or the General Administration of The University of North Carolina for which a

State employee works.

- d. The local school administrative unit for which a State employee works.
- e. The board, commission, or agency and its staff for which a State employee works, if that agency is not organizationally housed in any of the other offices, departments, or institutions listed in this subdivision.

(3) State employee. -- Any of the following:

- a. A person who is a contributing member of the Teachers' and State Employees' Retirement System of North Carolina, the Consolidated Judicial Retirement System of North Carolina, or the Optional Program.
- b. A person who receives wages from the State as a part-time or temporary worker, but is not otherwise a contributing member of one of the retirement programs listed in sub-subdivision a. of this subdivision.

"§ 143-345.11. State employee incentive bonus.

(a) A State employee or team of State employees may receive an incentive bonus or bonuses in reward for suggestions or innovations resulting in monetary savings to the State, increased revenues to the State, or improved quality of services delivered to the public.

(b) In addition to any bonuses paid directly to individual State employees, a portion of the cost-savings associated with any savings realized from permanent efficiencies implemented pursuant to this Article may be contributed to a reserve fund for State employee performance bonuses. Funds for State employee incentive bonuses shall only come from savings including reversions above the baseline reversion of the employing State department, agency, or institution.

(c) Savings generated by suggestions and innovations shall be determined at the end of the fiscal year in which the suggestion or innovation is implemented. Any savings are to be calculated using the actual expenditures for a program, activity, or service compared to the budgeted amount for the same, if an amount has been budgeted for the program, activity, or service. The savings calculation shall include the amount of any reversions in excess of the baseline reversion. The savings or revenue increases realized from any suggestion or innovation implemented for less than one full fiscal year shall be annualized. Any savings realized through the State Employee Incentive Bonus Program shall be weighed against continued service to the public.

(d) If a suggestion or innovation affects a program, activity, or service

for which no separate budgeted amount has been made, the State Coordinator, in conjunction with the agency evaluator for that suggestion or innovation, shall determine the budgetary impact of the suggestion or innovation.

"§ 143-345.12. Allocation of incentive bonus funds; nonmonetary recognition.

(a) If a State employee's suggestion or innovation results in a monetary savings or increased revenue to the State, the funds saved or increased shall be distributed according to the following scale:

(1) Twenty percent (20%) of the annualized savings or increased revenues, up to a maximum of twenty thousand dollars (\$20,000) for any one State employee, to constitute gainsharing. If a team of State employees is the suggester, the bonus provided in this subdivision shall be divided equally among the team members, except that no team member may receive in excess of twenty thousand dollars (\$20,000), nor may the team receive an aggregate amount in excess of one hundred thousand dollars (\$100,000).

(2) Thirty percent (30%) to a performance bonus reserve for all current employees of the employing unit of the suggester, to be distributed according to G.S. 126-7, the Comprehensive Compensation System for State employees, or according to the performance bonus compensation system in which the suggester's employing unit participates.

(3) The remainder to the General Fund for nonrecurring budget items.

(b) The budget of a State agency shall not be reduced in the following fiscal year by an amount similar to the monetary savings or increased revenues realized by the State Employee Incentive Bonus Program. The agency budget shall be reduced in subsequent years only if structural or organizational changes are made that warrant the reductions, including the transfer of responsibility for an activity or service to another agency or the elimination of some function of State government.

(c) If a suggestion or innovation results in improved quality of services to the public or to other State agencies, departments, and institutions, but not in monetary savings to the State, the suggester shall receive a nonmonetary award in the form of a certificate, leave with pay, or other similar recognition.

"§ 143-345.13. Suggestion and review process; role of agency coordinator and agency evaluator.

(a) The process for a State employee or team of State employees to

submit a cost-saving or revenue-increasing proposal shall begin by the employee or team of employees submitting the suggestion or innovation to an agency coordinator designated by the State department, agency, or institution impacted by the suggestion or innovation. The agency coordinator, in conjunction with an agency evaluator, shall review the suggestion or innovation for submission to the Review Committee established in G.S. 143-345.14.

(b) The duties of the agency coordinator shall include:

- (1) Serving as an information source and maintaining sufficient forms necessary to submit suggestions.
- (2) Responsibility for presenting, in conjunction with the agency evaluator, the plan of implementation for a suggestion or innovation to the Review Committee.
- (3) Working in conjunction with the agency evaluator designated by the State Coordinator for a particular suggestion or innovation.

An agency may have more than one coordinator if required to provide sufficient services to State employees.

(c) The duties of an agency evaluator shall include:

- (1) Reviewing the feasibility and effectiveness of cost-saving or revenue-increasing measures suggested by State employees.
- (2) Being knowledgeable of the subject program, activity, or service.
- (3) Determining, in conjunction with the agency fiscal officer, the budgetary impact of a suggestion or innovation.
- (4) Judging impartially both the positive and negative effects of a suggestion or innovation on the current functions of the subject program, activity, or service.

The specific assignments of the agency evaluator shall be determined by the agency coordinator.

(d) The State Coordinator shall be responsible for general oversight and coordination of the State Employee Incentive Bonus Program. The State Coordinator shall be a State employee working in the Department of Administration.

"§ 143-345.14. Incentive Bonus Review Committee.

(a) The Incentive Bonus Review Committee, hereinafter 'Review Committee', shall consist of nine members, as follows:

- (1) The State Coordinator.
- (2) A representative of the Office of State Budget and Management.
- (3) A representative of the Office of State Personnel.

- (4) A representative of The University of North Carolina.
- (5) A representative of the Department of Justice.
- (6) A representative of the Department of Labor.
- (7) One State employee appointed by the Speaker of the House of Representatives.
- (8) One State employee appointed by the President Pro Tempore of the Senate.
- (9) One State employee appointed by the Governor upon the recommendation of the State Employees Association of North Carolina, Inc.

(b) The duties of the Review Committee shall include:

- (1) Responsibility for receiving from the various agency coordinators recommendations on suggestion and innovation implementation plans.
- (2) Determining the impact of a suggestion or innovation on State government services by judging the monetary savings, increased revenues, or improved quality of services generated by a suggestion or innovation.
- (3) Ensuring that the State employee incentive bonus process does not result in a negative impact on services provided to taxpayers by State government.

(c) All administrative, management, clerical, and other functions and services required by the Review Committee shall be supplied by the Department of Administration. The Department of Administration and the Review Committee shall report annually to the Joint Legislative Commission on Governmental Operations on the administration of the State Employee Incentive Bonus Program.

"§ 143-345.15. Effect of decisions regarding bonuses.

All suggestions or innovations submitted by State employees pursuant to this Article are the property of the State. Decisions regarding the award of bonuses by the agency coordinator and the Review Committee are final and are not subject to review under the contested case procedures of Chapter 150B of the General Statutes."

Section 3. G.S. 143-340(1) reads as rewritten:

- (1) To establish a meritorious service award system for State employee suggestions which may include cash awards to be paid from savings resulting from the adoption of employee suggestions, but in no case shall the cash award exceed twenty five percent (25%) of the savings resulting during the first year following adoption or a maximum of five thousand dollars (\$5,000). the State Employee Incentive Bonus Program pursuant to Article 36A of this Chapter, with the authority to adopt all rules necessary to

implement the program."

Section 4. This act shall not be construed to obligate the General Assembly to make any appropriation to implement the provisions of this act. Each State agency to which this act applies shall implement the provisions of this act from funds otherwise appropriated to that State agency.

Section 5. Section 1 of this act is effective when it becomes law, applies to charges pending or filed on and after that date, and expires December 31, 1998. The remainder of this act becomes effective July 1, 1997, and applies to all suggestions and innovations pending on that date that were submitted under the former State Employee Suggestion Program as authorized by G.S. 143-340(1) on or before June 30, 1997.

**EXECUTIVE ORDERS BY
GOVERNOR JAMES B. HUNT, JR.**

By Title

December 1996 - December 1997

Number	Title
105	Amending Executive Orders No. 99, 102 and 103 Concerning Emergency Relief for Damage Caused by Hurricane Fran
106	Hurricane Fran Disaster Leave
107	Designation of Office and Hunt Administration Officials Authorized to Receive Bills under Article II, Section 22, of the North Carolina Constitution
108	North Carolina Interim Lead Abatement Certification Program
109	Amending Executive Order No. 44 North Carolina Commission on Business Laws and the Economy
110	Amending Executive Order No. 99 Concerning Emergency Relief for Damage Caused by Hurricane Fran

- 111 Information Technology-Related State Government
Functions Transfer of Administration
- 112 Extending Executive Order No. 78
- 113 Merit-Based Hiring Process
- 114 Extending Executive Orders
- 115 Single State Agency to Set Standards and Models of
Care for Alcohol and Drug Prevention and Treatment
Services
- 116 Juvenile Justice Planning Committee
- 117 Governor's Commission on Juvenile Crime and Justice
- 118 Amending Executive Order 75 Concerning
Implementation of the Albemarle-Pamlico Estuarine
Study Recommendations
- 119 Rescission of Governor Martin Executive Order No.
169
- 120 Extending Executive Orders
- 121 Implementing the Coastal Energy Policy Rules of the
Coastal Resources Commission
- 122 Extending Executive Orders 91 and 92
- 123 Alcohol Law Enforcement Designated Lead Agency to
Implement Model Education and Enforcement of State
Law to Reduce Tobacco Sales to Minors
- 124 Amending and Extending Executive Order No. 16, The
Geographic Information Coordinating Council and The
Center for Geographic Information and Analysis
- 125 North Carolina Emergency Response Commission
- 126 Extending Executive Orders

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Deputy Sergeant-at-Arms	Bill Stuckey
Assistant Sergeant-at-Arms	John Aman
	Shannon Batten

Juanita Bell
 Fred Douglas Biddy
 Carolyn Bowden
 Sherrill Coats
 Billy Crocker
 William Culpepper, IV
 Wayne Davis
 Jack Dossenbach, Jr.
 Cassie Duncan
 Beth Farr
 Gretchen Hoffman
 Billy Jones
 Nancy Kendig
 Ann Lassiter
 Amy McIlvain
 Becky Mercer
 Martha Parrish
 Don Perkins
 James Peyton
 Charles Poole
 Micah Starritt
 David Tran

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Anne M. Cole, Supervisor

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 Anderson, Dot
 Artis, Angel
 Baker, Pat
 Barber, Dot
 Berry, Barbara
 Blackmon, Margy
 Bobbitt, Jo

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Collar, Edna
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H	515	CLEAN WATER/ENVIRONMENTALLY SOUND POLICY ACT (Ch. SL 97-0458).....	275, 664, 746, 1210, 1471, 1482, 1503, 1520, 1700, 1703, 1705, 1718.
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H	485	FUNERAL ESTABLISHMENTS (Ch. SL 97-0399)	241, 524, 644, 716, 744, 1540, 1604.
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H	493	CURRENT OPERATIONS APPROPRIATIONS ACT (Appropriations) (S 352).....	242.
S	352	CURRENT OPERATIONS APPROPRIATIONS ACT (Ch. SL 97-0443) (H 493).....	688, 1073, 1080, 1095, 1101, 1124, 1141, 1723, 1725, 1729, 1748.
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- H 493 CURRENT OPERATIONS APPROPRIATIONS ACT
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- S 352 CURRENT OPERATIONS APPROPRIATIONS ACT
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- H 210 AGRICULTURE DEPARTMENT NAME CHANGE
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- S 816 ALLIGATOR/YELLOW PERCH PRODUCTION
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- H 211 AMEND ENVIRONMENTAL LAWS
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- S 194 AMEND ENVIRONMENTAL LAWS
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- H 1055 ARBITRATION OF SEED CLAIMS
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- H 515 CLEAN WATER/ENVIRONMENTALLY SOUND
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- H 307 ENVIRONMENTAL LAWS ACT
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- H 188 ENVIRONMENTAL TECHNICAL CORRECTIONS
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- S 169 ENVIRONMENTAL TECHNICAL CORRECTIONS
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- H 85 ENVIRONMENTALLY SOUND POLICY ACT
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- H 176 EQUINE ACTIVITIES/SKATING RINK LIABILITY
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H	305	PEANUT/STRAWBERRY ASSESSMENT (Ch. SL 97-0371)	144, 749, 899, 930, 942, 1448, 1462, 1469, 1550.
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H	61	PROPOSED CHANGES/CHAPTER 106 (Ch. SL 97-0074)	56, 149, 166, 194, 944, 1009.
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H	473	SALE OF NATURAL SCIENCE MUSEUM OBJECTS (State Government) (S 545)	238.
S	545	SALE OF NATURAL SCIENCE MUSEUM OBJECTS (Appropriations) (H 473)	624, 1234, 1352.
H	998	SOUTHERN DAIRY COMPACT (Senate) (S 977)	584, 1036, 1123, 1137, 1175.
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SENATE CONFIRMS GOVERNOR'S

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H	885	BUSING FROM DAY CARE/ALAMANCE SCHOOLS (Senate)	473, 650, 683.
S	378	COUNTY SUPERVISE PRISONERS (Ch. SL 97-0303)	499, 1045, 1349, 1351, 1364, 1385, 1398.
S	535	COUNTY/CONSENT BEFORE ACQUISITION (Ch. SL 97-0263)	765, 1062, 1082, 1122, 1195, 1207, 1214, 1312.
S	683	DURHAM CITY MANAGER/ALAMANCE (Ch. SL 97-0445)	766, 1635, 1666, 1684, 1698, 1734, 1757, 1793, 1798.
S	664	GREENVILLE DWELLINGS/BURLINGTON SALES (State Government)	709, 1399, 1477.
S	321	LOCAL OMNIBUS ACT (Finance)	360, 1507.
H	870	LOCAL WORKING OF PRISONERS (Senate)	470, 633, 697, 833.
H	39	SWEPSONVILLE INCORPORATION (Ch. SL 97-0448)	51, 159, 205, 217, 243, 254, 1767, 1774, 1798.
H	588	UNLAWFUL TO REMOVE COLLARS (Senate)	348, 442, 488, 489.
S	58	UNLAWFUL TO REMOVE DOG COLLARS (Ch. SL 97-0150)	153, 992, 1017, 1050, 1064, 1074, 1099, 1109.

ALCOHOLIC BEVERAGE REGULATION (G.S. 18B) -**also see Individual Counties**

H	1108	BREW ON PREMISES PERMITS (Ch. SL 97-0467)	616, 995, 1150, 1166, 1173, 1500, 1569, 1590, 1596, 1632, 1644, 1652, 1654.
H	348	CIDER/VINEGAR MANUFACTURER PERMIT (Ch. SL 97-0134)	170, 320, 424, 488, 501, 1025, 1108.
S	987	INTERSTATE ECONOMIC DEVELOPMENT PERMITS (Commerce)	768.
H	651	INTERSTATE ECONOMIC DEVELOPMENT ZONE (Ch. SL 97-0395)	389, 704, 779, 1271, 1491, 1496, 1513, 1518, 1603.
S	814	IN-STAND ALCOHOLIC BEVERAGE CONTROL SALES (Ch. SL 97-0167)	709, 996, 1023, 1059, 1134.

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S	452	LOCAL REGULATION ADULT ENTERTAINMENT (Finance)	563, 934, 1131.
S	994	NO DIRECT ALCOHOLIC BEVERAGE CONTROL SHIPMENTS-CONSUMERS (Ch. SL 97-0348)	801, 1233, 1369, 1393, 1403, 1413, 1506.
H	684	SPECIAL ALCOHOLIC BEVERAGE CONTROL AREA PROCEDURES (Local & Regional Government II).....	400, 576, 629.
S	837	SPORTS CLUB ALCOHOLIC BEVERAGE CONTROL PERMITS (Rules, Calendar & Operations of the House).....	800, 1375.
S	838	TOURISM RESORT ALCOHOLIC BEVERAGE CONTROL PERMITS (Rules, Calendar & Operations of the House).....	800, 1395.

ALDRIDGE, MARVIN W.**APPROVAL OF VOTE CHANGE ON**

CONFERENCE REPORT FOR S.B. 316 1237.

APPROVAL OF VOTE CHANGE ON H.B. 337 433.

APPROVAL OF VOTE CHANGE ON S.B. 411 1272.

BILLS INTRODUCED - *5, *6, *7, 10, 13, 15, 16, 35, 36, 50, 56, 66,

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*168, 169, 170, 172, 180, 183, 248, 271, 272, 277, *303, 310, 315,

316, 351, 406, *421, 478, 511, 527, 536, 554, 555, 556, 557, *575,

665, 672, 716, 746, 769, 770, 796, 824, 869, 905, 906, 909, 911,

928, 930, 934, 939, 941, *957, 964, 975, 980, 986, 1005, 1010,

1064, 1065, 1066, 1067, 1096, 1115, 1116, 1154, 1155, 1162,

1195, 1204, 1243.

COMMITTEE ASSIGNMENTS - Agriculture; Appropriations;
Appropriations, Subcommittee on Human Resources; Election Law
and Campaign Reform; Human Resources, Co-Chair; Transportation;
UNC Board of Governors.

CONFEREE: S.B. 676 1622.

EXCUSED ABSENCES 409, 946, 1353, 1529,
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- H 281 ALEXANDER COUNTY COMMISSIONERS
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- H 508 UPPER CATAWBA RIVER/PERSONAL
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711, 712, 739, 766, *813, *857, *858, 871, 902, 905, 906, 913,
918, 929, 934, 941, 943, 985, 986, 1010, 1014, 1016, 1085, 1092,
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1224.

COMMITTEE ASSIGNMENTS - Appropriations; Appropriations,
Subcommittee on Human Resources; Commerce; Commerce,
Subcommittee on Business and Labor, Ranking Minority Member;
Election Law and Campaign Reform; Judiciary I; UNC Board of
Governors, Ranking Minority Member; Welfare Reform.

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- CONFEE: S.B. 556..... 1287.
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- OATH 18.
- OFFERS PRAYER 52.
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- S 186 ALLEGHANY/DELINQUENT PROPERTY TAXES
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- S 105 LOCAL ORTHOPHOTOGRAPHY BOUNDARIES
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(Ch. SL 97-0410) 221, 1400, 1410, 1417, 1434,
1451, 1585, 1609, 1628, 1638, 1655.

ALLRED, CARY D.**APPROVAL OF VOTE CHANGE ON**

AMENDMENT NO. 1 OF H.B. 277 479.

APPROVAL OF VOTE CHANGE ON

AMENDMENT NO. 5 OF S.B. 297 1294.

APPROVAL OF VOTE CHANGE ON H.B. 286 352.

APPROVAL OF VOTE CHANGE ON H.B. 328 436.

APPROVAL OF VOTE CHANGE ON S.B. 157 1691.

APPROVAL OF VOTE CHANGE ON S.B. 297 1294.

APPROVAL OF VOTE CHANGE ON S.B. 727 1064.

APPROVAL OF VOTE CHANGE ON S.B. 841 1741.

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149, 158, *185, *186, 198, 261, 265, *269, 297, *313, 315, 316,
351, 353, 382, 389, 394, 395, 501, *518, 529, 536, 537, *547, 554,
564, *578, *579, *588, 591, 595, 611, *647, 653, 654, *657, *658,
*659, 660, 739, 769, 770, 796, 803, 813, *870, *885, 906, 918,
928, 959, 964, 969, *1032, *1081, 1092, 1096, 1121, 1155, 1162,
1195, *1206, 1225.

COMMITTEE ASSIGNMENTS - Commerce; Commerce - Subcommittee
on Public Utilities; Finance; Insurance; Local and Regional
Government I; Pensions and Retirement; Transportation; Ways
and Means, Chair.

CONFEREE: S.B. 343 (Chair) 1697.

CONFEREE: S.B. 356 1434.

CONFEREE: S.B. 683 (Chair) 1698.

CONFEREE: S.B. 684 (Chair) 1637.

CONFEREE: S.B. 711 1715.

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(Ch. SL 97-0198) 787, 1043, 1129, 1133, 1198.

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S	490	CONTINUING BUDGET AUTHORITY (Ch. SL 97-0418)	1656, 1665, 1669, 1688.
H	394	DOGFIGHTS/GAMBLING/FELONY (Judiciary I)	191.
H	307	ENVIRONMENTAL LAWS ACT (Calendar Pursuant Rule 36(a))	144, 664.
H	176	EQUINE ACTIVITIES/SKATING RINK LIABILITY (Ch. SL 97-0376)	105, 643, 717, 1472, 1482, 1487, 1550.
H	238	FACILITATE ANIMAL WASTE MANAGEMENT RESEARCH (Rules, Calendar & Operations of the House)	118, 262, 271, 624.
H	1048	INCREASE COCK FIGHTING PENALTY (Rules, Calendar & Operations of the House)	575, 603.
H	1049	INCREASE CRUELTY TO ANIMALS PENALTY (Senate)	576, 603, 639, 774, 842.
H	488	INCREASE RABIES TAG FEE (Ch. SL 97-0069)	241, 333, 353, 361, 923, 1008.
H	936	LIABILITY FOR LLAMA ACTIVITIES (Senate)	527, 753, 819.
H	147	OUTLAW DOG FIGHTS (Ch. SL 97-0078)	96, 524, 553, 947, 1009.
S	266	PRODUCTION AND SALE OF RED DEER (Ch. SL 97-0142)	563, 887, 936, 964, 972, 1025, 1108.
H	935	PROMOTE LLAMA BREEDING (Ch. SL 97-0084)	527, 633, 660, 947, 1010.
H	927	RABIES VACCINE/DOG OWNER ADMINISTER (Judiciary I)	525.
H	240	REMOVE ODOR CONTROL STUDY MATCH (Senate)	119, 150, 175.
H	1037	SALE OF CERTAIN EXOTIC MEATS (Senate)	601, 730, 774, 780, 843.
S	121	STATEWIDE TAKING OF BEAVER (Ch. SL 97-0097)	192, 993, 1017, 1026, 1042.
S	508	TURKEY GROWER USE VALUE EXCEPTION (Ch. SL 97-0272)	926, 1037, 1122, 1208, 1209, 1313.

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H	588	UNLAWFUL TO REMOVE COLLARS (Senate)	348, 442, 488, 489.
S	58	UNLAWFUL TO REMOVE DOG COLLARS (Ch. SL 97-0150)	153, 992, 1017, 1050, 1064, 1074, 1099, 1109.
H	302	WILDLIFE/RABIES EMERGENCY (Ch. SL 97-0402)	143, 762, 827, 1510, 1524, 1529, 1618.

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and Individual County**

H	94	ANNEXATION CHANGES (Finance)	71, 494.
H	124	ANNEXATION REFERENDA (Finance)	90, 569.
H	92	ANNEXATION/MUNICIPAL SERVICES (Calendar Pursuant Rule 36(a)).....	71, 126.

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H	690	ANSON COUNTY LOCAL ACT (Rules, Calendar & Operations of the House).....	402.
S	319	NEW COMMUNITY COLLEGE AUTHORIZED (Education).....	326.

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S	809	AMEND NORTH CAROLINA APPRAISERS ACT (Rules, Calendar & Operations of the House) (H 946).....	800, 1092, 1184, 1194, 1225, 1292.

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H	552	1898 WILMINGTON HISTORIC FUNDS (Appropriations).....	325.
H	1216	ANSON CHILD SUPPORT OFFICE FUNDS (Appropriations).....	848.

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H 300	BEAUFORT HISTORICAL FUNDS (Approp - Capital & Budget)	143, 386.
H 304	BERTIE BEAVER FUNDS (Approp - Capital & Budget)	144, 386.
H 751	CABARRUS THREE-YEAR SALES TAX/SCHOOLS (Finance)	428, 992, 1088, 1231.
H 922	CARRBORO MUSIC FESTIVAL FUNDS (Appropriations).....	517.
H 384	CARY MUSEUM FUNDS (Appropriations).....	189.
H 917	CHATHAM FUNDS FOR SITING COSTS (Appropriations).....	516.
H 775	COLUMBUS ECONOMIC DEVELOPMENT FUNDS (Appropriations).....	447.
H 863	CUMBERLAND SHELTERED WORKSHOP FUNDS (Appropriations).....	469.
H 558	DREXEL FAIR FACILITIES FUNDS (Appropriations).....	335.
H 764	DUPLIN AGRI-COMMUNITY CENTER FUNDS (Appropriations) (H 802)	431.
H 802	DUPLIN AGRI-COMMUNITY CENTER FUNDS (Appropriations) (H 764)	451.
H 121	ERWIN TEXTILE MUSEUM FUNDS (Approp - Capital & Budget)	89, 383.
H 937	FOUNTAIN LIBRARY FUNDS (Appropriations).....	527.
H 1176	GRANVILLE CEMETERY FUNDS (Appropriations).....	738.
H 848	GUILFORD DETENTION CENTER FUNDS (Approp - Capital & Budget)	466, 950.
H 774	HAYWOOD AGRICULTURE CENTER FUNDS (Appropriations).....	447.
H 912	HICKORY LIBRARY FUNDS (Appropriations).....	515.
H 1181	HIDDENITE CENTER FUNDS (Appropriations).....	739.
H 1172	HINES HALL CAPITAL FUNDS (Approp - Capital & Budget)	737, 872, 901.
H 1214	HOUSE DISTRICT 49 FUNDS (Appropriations).....	848.
H 645	JACKSON COURTHOUSE FUNDS (Appropriations).....	388.

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H 924	JONES COUNTY CIVIC CENTER FUNDS (Appropriations).....	517.
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H 953	JONES HURRICANE DEBRIS REMOVAL FUNDS (Appropriations).....	545, 574.
H 1103	LAKE NORMAN/WILDLIFE OFFICER FUNDS (Appropriations).....	615.
H 190	MADISON FORESTRY FUNDS (Approp - Capital & Budget)	108, 384.
H 104	MOORESVILLE LIBRARY FUNDS (Approp - Capital & Budget)	73, 382.
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H 279	NORTHAMPTON WELCOME CENTER FUNDS (Approp - Capital & Budget)	132, 386.
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H 749	ONSLOW EMERGENCY CENTER FUNDS (Appropriations).....	428.
H 807	ONSLOW SCHOOL ACQUISITION (Approp - Capital & Budget)	452, 976, 980.
H 1185	ORANGE TEEN COURT FUNDS (Appropriations).....	764.
H 677	PATTERSON SCHOOL CAPITAL FUNDS (Appropriations).....	399.
H 842	PEMBROKE FIRE TRUCK FUNDS (Appropriations).....	465.
H 1169	PEMBROKE LIBRARY FUNDS (Appropriations).....	737.
H 705	PERSON COUNTY COUNSELING CENTER FUNDS (Appropriations)	404.
H 680	PERSON MUSEUM OF HISTORY FUNDS (Appropriations) (H 706)	400.
H 706	PERSON MUSEUM OF HISTORY FUNDS (Appropriations) (H 680)	404.
H 849	PIEDMONT TRIAD CENTER FOR ADVANCED MANUFACTURING FUNDS (Appropriations).....	466, 988.
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H	489	MOUNTAIN STATE FAIR FUNDS (Appropriations)	241.
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H	249	NATURAL RESOURCES LEADERSHIP FUNDS (Approp - Capital & Budget)	121, 385.
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COMMITTEE ASSIGNMENTS - Appropriations; Appropriations, Subcommittee on Capital and Budget; Appropriations, Subcommittee on Education, Co-Chair; Congressional Redistricting; Education;
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ARNOLD, GENE G.-Contd.

Education, Subcommittee on Preschool, Elementary and Secondary Education; Election Law and Campaign Reform; Finance; Judiciary I; Ways and Means.

CONFeree: S.B. 143 (Chair)	1391.
CONFeree: S.B. 272 (Chair)	927.
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H 1086 AMEND OFFER OF JUDGMENT RULE (Senate)	611, 772, 829.
H 333 CLARIFY ATTORNEY-IN-FACT GIFTS (Senate)	161, 557, 639.
S 370 COMMERCIAL ARBITRATION AMENDMENT (Ch. SL 97-0141)	476, 960, 985, 1025, 1108.
H 1081 CONDEMNATION AWARDS (Approp - Transportation).....	610, 1232, 1279, 1303.
S 896 LEGAL REPRESENTATION/CORPORATIONS (Ch. SL 97-0203)	796, 994, 1056, 1076, 1086, 1106, 1199.
H 908 MODIFY RIGHTS OF DECEDENT'S SPOUSE (Senate) (Included Ch. SL 97-0483)	514, 691, 776.
H 1023 PRETRIAL RELEASE AND BOND FORFEITURE (Rules, Calendar & Operations of the House).....	598, 727, 837, 1472.
H 898 PUBLIC RECORDS/LAW AMENDMENTS (Senate) (Included Ch. SL 97-0483)	484, 664, 688.
H 605 REAL ESTATE BROKER'S CONTINUING EDUCATION (Rules, Calendar & Operations of the House).....	358.

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- H 1166 AUCTIONEER EDUCATION REQUIREMENTS
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- H 114 REPEAL UNIFORM COMMERCIAL CODE
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AUTOMOBILES - see MOTOR VEHICLES**AVERY COUNTY**

- H 103 AVERY PRECINCTS
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- S 322 AVERY UNAFFILIATED PETITIONS
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- H 832 COLLECT DELINQUENT PROPERTY TAX
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- S 578 MOUNT AIRY/AVERY OCCUPANCY TAX
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- H 418 VARIOUS LOCAL TAX CHANGES
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- APPROVAL OF VOTE CHANGE ON H.B. 42 1348.
- APPROVAL OF VOTE CHANGE ON H.B. 584 722.
- APPROVAL OF VOTE CHANGE ON S.B. 488 1778.
- APPROVAL OF VOTE CHANGE ON S.J.R. 414 1522.
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COMMITTEE ASSIGNMENTS - Election Law and Campaign Reform; Environment; Finance; Judiciary II.

CONFeree: S.B. 1..... 1770.
 CONFeree: S.B. 157..... 1606.
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COMMITTEE ASSIGNMENTS - Agriculture; Appropriations; Appropriations, Subcommittee on Natural and Economic Resources, Co-Chair; Commerce; Commerce, Subcommittee on Business and Labor; State Government; State Government, Subcommittee on State Parks, Facilities and Property; Transportation; Ways and Means.

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H 1075	APPRECIATION OF REVERSE MORTGAGES (Senate)	609, 700, 762, 821, 829.
H 400	BANK ASSESSMENTS (Ch. SL 97-0285)	204, 426, 631, 657, 683, 1236, 1257, 1268, 1355.
H 493	CURRENT OPERATIONS APPROPRIATIONS ACT (Appropriations) (S 352)	242.
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S 330	SAFE DEPOSIT BOXES (Ch. SL 97-0311)	432, 1048, 1090, 1232, 1317, 1340, 1414.
S 329	SAVINGS BANK NAME (Ch. SL 97-0241)	351, 1047, 1100, 1147, 1176, 1251.

BARBEE, BOBBY H., SR.

BILLS INTRODUCED - 66, 111, 122, 147, 158, 159, 172, 178, 180, 183, 209, 248, 250, 256, 296, 310, 338, 351, 361, 389, 425, 426, 427, *458, 482, *487, *488, 511, 525, 554, 578, *642, 662, 665, 672, 688, 707, 716, 739, 746, *751, 769, 770, 786, *789, 813, 814, 824, 869, 928, 964, 973, 975, 1010, 1014, 1024, 1067, 1074, 1076, 1078, 1096, 1125, 1128, 1155, 1162, 1173, 1189, 1195, 1204.

COMMITTEE ASSIGNMENTS - Appropriations; Appropriations, Subcommittee on Transportation; Insurance; Insurance, Subcommittee on Health; Local and Regional Government II; Pensions and Retirement, Chair; Public Employees; UNC Board of Governors.

BARBEE, BOBBY H., SR.-Contd.

ESCORT FOR NORTH CAROLINA

TEACHER OF THE YEAR 1317.

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SECONDS ADJOURNMENT 272, 642.

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H 301 CHILD SUPPORT/FEDERAL REQUIREMENTS

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BEALL, CHARLES M.

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*936, 939, 941, *961, *962, 975, 1014, 1064, 1093, 1116, 1154,
1155, 1177, 1195, 1210, 1218, 1227.COMMITTEE ASSIGNMENTS - Education; Education, Subcommittee
on Preschool, Elementary and Secondary Education; Finance;
Pensions and Retirement; State Government; State Government,
Subcommittee on Military, Veterans, and Indian Affairs.

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H	733	BEAUFORT VACANCIES (Ch. SL 97-0248)	415, 578, 627, 1248, 1269.
H	870	LOCAL WORKING OF PRISONERS (Senate)	470, 633, 697, 833.
H	718	TAKING OF FOXES AND RACCOONS (Ch. SL 97-0132)	413, 578, 627, 1078, 1089.
S	58	UNLAWFUL TO REMOVE DOG COLLARS (Ch. SL 97-0150)	153, 992, 1017, 1050, 1064, 1074, 1099, 1109.
H	719	WASHINGTON/BELHAVEN ELECTRIC RATES (Commerce)	413, 728.

BERRY, CHERIE K.

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COMMITTEE ASSIGNMENTS -	Appropriations; Appropriations, Subcommittee on Capital and Budget; Commerce, Co-Chair; Congressional Redistricting; Election Law and Campaign Reform; Finance; Finance, Subcommittee on Local, Regional, and State Revenues; Judiciary II; Welfare Reform, Chair.
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H 504	BERTIE LOCAL ACT (Rules, Calendar & Operations of the House).....	266.
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BLACK, JAMES B.

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COMMITTEE ASSIGNMENTS - Appropriations; Appropriations, Subcommittee on Education; Education; Education, Subcommittee on Preschool, Elementary and Secondary Education; Insurance; Ways and Means.	
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COMMITTEE ASSIGNMENTS - Appropriations; Appropriations,
Subcommittee on Transportation; Commerce; Commerce,
Subcommittee on Business and Labor; Congressional Redistricting;
Ethics; Judiciary I.

CONFeree: H.B. 1231 1564.

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S	317	LOCAL GOVERNMENT DEBT CHANGES (Finance)	802.
H	1231	LOCAL TRANSIT REVENUE OPTIONS (Ch. SL 97-0417)	962, 1201, 1324, 1377, 1455, 1465, 1546, 1554, 1573, 1579, 1585, 1595, 1602, 1688.
S	553	PAPER BALLOTS IN RUNOFF (Ch. SL 97-0510)	676, 1519, 1744, 1795.
H	401	RAISE HOUSING FINANCE AGENCY BOND LIMIT (Finance) (S 289)	204, 371.
S	289	RAISE HOUSING FINANCE AGENCY BOND LIMIT (Ch. SL 97-0013) (H 401).....	406, 425, 437, 453, 455, 458.
H	993	REGIONAL TRANSPORTATION AUTHORITIES (Ch. SL 97-0393)	583, 1090, 1149, 1165, 1172, 1505, 1603.
S	33	REVENUE LAWS TECHNICAL CHANGES (Ch. SL 97-0006)	164, 188, 225, 246, 253, 345.
H	509	SCHOOL BOND INTEREST USE (Approp - Capital & Budget)	273, 873, 900.
H	1188	SCHOOL DISTRICT SALES TAX REFUNDS (Finance)	789.
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BONNER, DONALD A.

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BONNER, DONALD A.-Contd.

COMMITTEE ASSIGNMENTS - Appropriations; Appropriations, Subcommittee on Capital and Budget; Commerce; Commerce, Subcommittee on Public Utilities; Election Law and Campaign Reform; UNC Board of Governors; Welfare Reform.

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BOWIE, JOANNE W.

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COMMITTEE ASSIGNMENTS - Appropriations; Appropriations, Subcommittee on Capital and Budget; Appropriations, Subcommittee on Transportation, Co-Chair; Commerce; Commerce, Subcommittee on Business and Labor; Congressional Redistricting; Human Resources; Human Resources, Subcommittee on Families; Insurance; Insurance, Subcommittee on Health; Judiciary II; Public Employees; Rules, Calendar, and Operations of the House, Vice Chair.

CONFeree: H.B. 183 (Chair)..... 1612.

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COMMITTEE ASSIGNMENTS - Commerce; Commerce, Subcommittee on Business and Labor; Education; Education, Subcommittee on Universities; Finance; Ways and Means; Welfare Reform.

EXCUSED ABSENCES..... 439, 1505.

OATH..... 18.

OFFERS PRAYER..... 130.

BRASWELL, JERRY

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COMMITTEE ASSIGNMENTS - Appropriations; Appropriations, Subcommittee on General Government; Commerce; Commerce, Subcommittee on Public Utilities; Election Law and Campaign Reform; Judiciary I, Ranking Minority Member.

CONFEE: H.B. 1156..... 1716.

ESCORT FOR COACH DEAN SMITH..... 1509.

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COMMITTEE ASSIGNMENTS - Commerce; Commerce, Subcommittee
on Business and Labor; Finance, Co-Chair; Insurance; Pensions
and Retirement; Public Employees; Transportation; Ways and
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COMMITTEE ASSIGNMENTS - Agriculture, Chair; Environment;
Finance; State Government; State Government, Subcommittee on
Military, Veterans, and Indian Affairs; Transportation.

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COMMITTEE ASSIGNMENTS - Agriculture; Finance; Finance, Subcommittee on Local, Regional, and State Revenues; Local and Regional Government I; State Government; State Government, Subcommittee on Military, Veterans, and Indian Affairs; Transportation, Co-Chair.

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- H 219 ADMINISTRATIVE DISSOLUTION/ANNUAL
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- S 579 LENOIR CHARTER
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- S 58 UNLAWFUL TO REMOVE DOG COLLARS
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- H 508 UPPER CATAWBA RIVER/PERSONAL
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COMMITTEE ASSIGNMENTS - Appropriations; Appropriations,
Subcommittee on Human Resources, Co-Chair; Commerce; Commerce,
Subcommittee on Travel and Tourism; Education; Education,
Subcommittee on Preschool, Elementary and Secondary Education;
Election Law and Campaign Reform; Judiciary II; Technology.

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COMMITTEE ASSIGNMENTS - Education, Education, Subcommittee on
 Preschool, Elementary and Secondary Education, Chair; Finance;
 Finance, Subcommittee on Local, Regional, and State Revenues;
 Judiciary I; Local and Regional Government II; Public Employees;
 Welfare Reform.

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 *1175, 1189, 1195.

COMMITTEE ASSIGNMENTS - Agriculture, Vice Chair; Appropriations;
 Appropriations, Subcommittee on Natural and Economic Resources,
 Co-Chair; Finance; Local and Regional Government I; Pensions
 and Retirement; State Government; State Government, Subcommittee
 on State Parks, Facilities and Property; Transportation.

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- H 508 UPPER CATAWBA RIVER/PERSONAL
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- H 379 AMEND CHARTER SCHOOLS LAWS
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- S 297 AMEND CHARTER SCHOOLS LAWS
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- H 458 CHARTER SCHOOL AMENDMENTS
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- H 493 CURRENT OPERATIONS APPROPRIATIONS ACT
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H	301	CHILD SUPPORT/FEDERAL REQUIREMENTS (Ch. SL 97-0433)	143, 701, 949, 1165, 1183, 1585, 1612, 1629, 1638.
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S 297	AMEND CHARTER SCHOOLS LAWS (Ch. SL 97-0430) (H 379).....	821, 1135, 1235, 1293, 1294, 1308, 1457, 1462, 1500, 1541, 1554, 1566, 1573, 1690.
H 493	CURRENT OPERATIONS APPROPRIATIONS ACT (Appropriations) (S 352).....	242.
S 352	CURRENT OPERATIONS APPROPRIATIONS ACT (Ch. SL 97-0443) (H 493).....	688, 1073, 1080, 1095, 1101, 1124, 1141, 1723, 1725, 1729, 1748.
H 351	EXCELLENT SCHOOLS ACT (Calendar Pursuant Rule 36(a)) (S 272).....	170, 577, 671, 699.
S 272	EXCELLENT SCHOOLS ACT (Ch. SL 97-0221) (H 351)....	393, 625, 689, 768, 896, 927, 1175, 1181, 1185, 1188, 1190, 1215.
H 1099	KINDERGARTEN ENTRY/GIFTED STUDENTS (Ch. SL 97-0269)	614, 692, 726, 746, 1180, 1193, 1197, 1313.
H 512	SCHOOL SAFETY ACT (Approp - Education)	274, 345, 873.
H 1098	SPECIAL EDUCATION MEDIATION (Ch. SL 97-0115)	614, 692, 726, 957, 1070.

CHOWAN COUNTY

H 452	BEACH PLAN AMENDMENTS (Ch. SL 97-0498) (Included Ch. SL 97-0483)	234, 632, 685, 1271, 1720, 1761, 1797.
H 815	CHOWAN LOCAL ACT (Rules, Calendar & Operations of the House).....	460.
H 703	LOCAL BEAR HUNTING (Rules, Calendar & Operations of the House).....	404.

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 111, 148, 149, 271, 272, 297, 315, 316, 346, 351, 361, 372, 389,
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 709, 739, 796, 813, 857, 858, *893, 905, 906, 914, 934, 941, 966,
 967, 986, *990, 1010, *1033, 1039, 1064, 1072, 1092, 1125, 1128,
 1155, 1177, 1191, 1195, 1218, 1224.

COMMITTEE ASSIGNMENTS - Appropriations; Appropriations,
 Subcommittee on Capital and Budget, Ranking Minority Member;
 Commerce, Co-Chair; Congressional Redistricting; Election Law
 and Campaign Reform; Public Employees; Transportation, Ranking
 Minority Member.

CONFeree: S.B. 352 1141.

CONFeree: S.B. 565 (Chair) 1634.

CONFeree: S.B. 727 1606.

ESCORT FOR REVEREND BILLY GRAHAM 853.

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S 409 AIRPORT LAW ENFORCEMENT
 (Ch. SL 97-0143) 802, 933, 985, 1025, 1109.

S 1054 ALLOW BURMA DIVESTITURE
 (Commerce) 798, 896.

H 94 ANNEXATION CHANGES
 (Finance) 71, 494.

H 124 ANNEXATION REFERENDA
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H 92 ANNEXATION/MUNICIPAL SERVICES
 (Calendar Pursuant Rule 36(a)) 71, 126.

S 389 BASEBALL PARK DISTRICTS
 (Ch. SL 97-0380) 529, 1285,
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H 406 CURFEW FOR PERSONS UNDER 18
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 1079, 1115, 1120, 1189.

H 1127 CUSTOMER CHOICE IN ELECTRICITY
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S	799	DISCIPLINE DISCLOSURE ACT (Public Employees)	851.
H	93	EXTRATERRITORIAL CHANGES (Calendar Pursuant Rule 36(a)) (Included Ch. SL 97-0483)	71, 126.
H	1107	FACILITY AUTHORITIES (Ch. SL 97-0068)	615, 752, 886, 918, 929, 971, 975, 978.
H	915	FIREFIGHTERS/NO CONFLICT (Senate)	516, 644, 817.
S	245	INSTALLMENT PURCHASE/SEWER DISTRICT (Environment)	788.
S	891	LOCAL GOVERNMENT CONTRACTING (Ch. SL 97-0174)	767, 885, 943, 1068, 1160.
S	452	LOCAL REGULATION ADULT ENTERTAINMENT (Finance)	563, 934, 1131.
H	1231	LOCAL TRANSIT REVENUE OPTIONS (Ch. SL 97-0417)	962, 1201, 1324, 1377, 1455, 1465, 1546, 1554, 1573, 1579, 1585, 1595, 1602, 1688.
S	848	MUNICIPAL ELECTRIC AMENDMENTS (Ch. SL 97-0346)	767, 1233, 1450, 1479, 1505.
H	1045	RED LIGHT PHOTO CITATIONS (Judiciary II)	602.
H	993	REGIONAL TRANSPORTATION AUTHORITIES (Ch. SL 97-0393)	583, 1090, 1149, 1165, 1172, 1505, 1603.
H	1100	REGISTER OF DEEDS' MATTERS (Finance)	614, 699.
H	1094	REPEAL/RECODIFY RAILROAD LAWS (Senate)	613, 734, 1093, 1147, 1156.
S	23	REQUIRE RENTAL PROPERTY HEAT (Calendar Pursuant Rule 36(a))	350, 1330.
S	875	REVISE RECORDS LAWS (Ch. SL 97-0309)	1072, 1162, 1225, 1263, 1274, 1278, 1320, 1414.
H	833	SERVICE IN HOUSING CODE CASES (Ch. SL 97-0201)	464, 650, 832, 1101, 1126, 1134, 1199.
H	292	TOWN MANAGERS/DUAL OFFICE HOLDING (Rules, Calendar & Operations of the House) (S 199)	138, 317.

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- S 199 TOWN MANAGERS/DUAL OFFICE HOLDING
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- H 656 WATERSHED EXEMPTION/ANNEXATION
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- H 115 1997 TECHNICAL CORRECTIONS
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1791, 1802, 1803, 1805, 1816.
- H 1086 AMEND OFFER OF JUDGMENT RULE
(Senate) 611, 772, 829.
- S 370 COMMERCIAL ARBITRATION AMENDMENT
(Ch. SL 97-0141) 476, 960, 985, 1025, 1108.
- H 493 CURRENT OPERATIONS APPROPRIATIONS ACT
(Appropriations) (S 352) 242.
- S 352 CURRENT OPERATIONS APPROPRIATIONS ACT
(Ch. SL 97-0443) (H 493)..... 688, 1073, 1080, 1095,
1101, 1124, 1141, 1723, 1725, 1729, 1748.
- H 206 DIVISION OF MOTOR VEHICLES HEAD IS A
DEPARTMENT OF TRANSPORTATION
DEPUTY (Failed 2nd Reading) 111, 295, 315.
- H 135 FAST-TRACK TECHNICAL AMENDMENTS
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- S 86 FAST-TRACK TECHNICAL AMENDMENTS
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- H 1064 HOUSING AUTHORITY AMENDMENTS
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- H 202 INCREASE MINIMUM UPSET AMOUNT
(Ch. SL 97-0119) 110, 158, 195,
360, 969, 984, 991, 1071.
- S 371 INTERNATIONAL COMMERCIAL CONCILIATION
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- H 197 JUDICIAL TIMBER SALE/SEALED BID
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926, 940, 947, 1010.
- S 264 LIABILITY FOR JOB REFERENCES
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1636, 1681, 1692, 1701, 1703.

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S	910	LIMITATIONS FOR OFFICIAL BONDS (Ch. SL 97-0297)	787, 1162, 1263, 1265, 1298, 1397.
H	1100	REGISTER OF DEEDS' MATTERS (Finance)	614, 699.
H	538	TRUTHFUL EMPLOYMENT REFERENCES (Senate)	322, 343, 631, 659, 684.
S	1015	WELFARE REFORM ACT OF 1997 (Appropriations)	853, 1037.

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APPROVAL OF VOTE CHANGE ON S.B. 627	1648.
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COMMITTEE ASSIGNMENTS - Appropriations; Appropriations,
Subcommittee on Human Resources, Co-Chair; Human Resources;
Human Resources, Subcommittee on Aging; Judiciary I; Technology;
Transportation; UNC Board of Governors; Welfare Reform.

CONFeree: H.B. 81	940.
CONFeree: H.B. 1140	1154.
CONFeree: S.B. 352	1141.
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H	649	ABOLISH CHEROKEE CORONER (Ch. SL 97-0049)	389, 689, 715, 920, 923.
S	535	COUNTY/CONSENT BEFORE ACQUISITION (Ch. SL 97-0263)	765, 1062, 1082, 1122, 1195, 1207, 1214, 1312.

CLEAN WATER REVOLVING LOAN AND GRANT ACT OF 1987, NORTH CAROLINA (G.S. 159G)

- S 232 CLEAN WATER BONDS
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- H 519 CLEAN WATER BONDS/NATURAL GAS
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- H 515 CLEAN WATER/ENVIRONMENTALLY SOUND
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- H 194 DRINKING WATER REVOLVING LOAN FUND
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- H 583 KINGS MOUNTAIN ALCOHOLIC
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- H 777 KINGS MOUNTAIN ANNEXATION/
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655, 732, 781, 1228, 1279, 1302, 1318, 1349, 1388.
- H 778 KINGS MOUNTAIN EXTRATERRITORIAL
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571, 655, 732, 781.
- H 420 KINGS MOUNTAIN/MOSS LAKE AMENDMENTS
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- S 585 LUMBERTON/SHELBY ROOM TAX CHANGES
(Ch. SL 97-0361) 765, 1216, 1254,
1344, 1475, 1483, 1518, 1530.
- H 495 NATURAL GAS
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- ADDRESSES JOINT SESSION 277.

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- H 115 1997 TECHNICAL CORRECTIONS
(Ch. SL 97-0456) 88, 523, 567, 625, 1790,
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H 452	BEACH PLAN AMENDMENTS (Ch. SL 97-0498) (Included Ch. SL 97-0483).....	234, 632, 685, 1271, 1720, 1761, 1797.
H 1059	COASTAL AREA MANAGEMENT ACT/URBAN WATERFRONT REDEVELOPMENT (Ch. SL 97-0337)	605, 704, 774, 836, 837, 1333, 1358, 1369, 1385, 1471.
S 463	CONTINUING BUDGET AUTHORITY (Ch. SL 97-0347)	1498, 1501, 1506.
S 473	CONTINUING BUDGET AUTHORITY (Ch. SL 97-0256)	1242, 1253, 1255, 1267, 1270.
H 787	CORE SOUND SHELLFISH LEASES (Environment)	449.
H 788	CORE SOUND SHELLFISH LEASES (Environment)	449.
H 252	CORE SOUND USE MAPPING (Approp - Natural & Economic Resources)	121, 385, 945.
H 493	CURRENT OPERATIONS APPROPRIATIONS ACT (Appropriations) (S 352)	242.
S 352	CURRENT OPERATIONS APPROPRIATIONS ACT (Ch. SL 97-0443) (H 493)	688, 1073, 1080, 1095, 1101, 1124, 1141, 1723, 1725, 1729, 1748.
H 375	FISHERIES REFORM ACT (Environment)	181.
H 1097	FISHERIES REFORM ACT (Ch. SL 97-0400)	613, 662, 948, 1044, 1083, 1117, 1126, 1565, 1576, 1588, 1591, 1604.
H 1119	REVISE COASTAL INSURANCE COVERAGE (Rules, Calendar & Operations of the House) (Included Ch. SL 97-0483)	618.
H 859	ROOM TAX CHANGES (Ch. SL 97-0364)	468, 1302, 1315, 1344, 1389, 1405, 1499, 1513, 1523, 1530, 1549.
H 133	TRANSFER MARINE FISHERIES (Environment)	93.

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1210, 1218, *1225.

COMMITTEE ASSIGNMENTS - Education; Education, Subcommittee on
Preschool, Elementary and Secondary Education; Environment; Finance;
Insurance; Insurance, Subcommittee on Health; Transportation.

CONFERE: S.B. 356..... 1434.

EXCUSED ABSENCE..... 1068.

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EXCUSED VOTE: H.B. 1231..... 1455, 1466, 1555, 1586.

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H 700 14TH HOUSE DISTRICT

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H 298 COLUMBUS AIRPORT AUTHORITY MEMBERSHIP

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H 686 COLUMBUS COUNTY LOCAL ACT

(Rules, Calendar & Operations of the House)..... 401.

H 516 COLUMBUS ROAD HUNTING

(Ch. SL 97-0061) 275, 443, 478, 957, 968.

H 772 SHALLOTTE CHARTER/WHITEVILLE SCHOOLS

(Ch. SL 97-0187) 446, 649, 682,

1139, 1152, 1159, 1177.

H 545 WILLIAMSTON/TABOR CITY EXTRATERRITORIAL

JURISDICTION (Ch. SL 97-0281) (S 411)..... 324,

443, 477, 486, 1316, 1322, 1334, 1341, 1355.

COMMERCE AND BUSINESS (G.S. 66)

H 115 1997 TECHNICAL CORRECTIONS

(Ch. SL 97-0456) 88, 523, 567, 625, 1790,

1791, 1802, 1803, 1805, 1816.

H 266 ADJUST LICENSE WEIGHT

(Ch. SL 97-0036) 127, 332, 354, 522, 667.

H 368 AMEND BILL LEE ACT

(Finance) (Included Ch. SL 97-0443)

(S 316)..... 179, 318.

S 316 AMEND BILL LEE ACT

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(H 368)..... 485, 645, 876, 892, 907, 910, 917, 928,

998, 1004, 1217, 1237, 1255, 1268, 1270, 1355.

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S	143	BAN TOBACCO SALES TO MINORS (Ch. SL 97-0434)	299, 1229, 1292, 1333, 1379, 1391, 1592, 1607, 1617, 1621.
H	87	CENTENNIAL CAMPUS/UMSTEAD ACT EXEMPTION (Ch. SL 97-0527) ...	68, 186, 223, 247, 1623, 1698, 1709, 1724, 1737, 1749.
S	370	COMMERCIAL ARBITRATION AMENDMENT (Ch. SL 97-0141)	476, 960, 985, 1025, 1108.
S	333	COMMODITIES ACT AMENDMENT (Calendar Pursuant to Rule 36(a)).....	360, 1346.
H	994	COMPETITIVE PAY TELEPHONE (Ch. SL 97-0207)	583, 700, 778, 1106, 1199.
H	200	CORPORATE AMENDMENTS (Judiciary II) (S 157).....	110.
S	157	CORPORATE AMENDMENTS (Ch. SL 97-0485) (H 200).....	528, 934, 1044, 1148, 1300, 1534, 1542, 1596, 1606, 1657, 1676, 1681, 1690, 1702.
H	502	DEFINITION OF MOTOR VEHICLE DEALER (Failed 2nd Reading).....	266, 696, 785, 792, 831, 950, 1332, 1373, 1422, 1551, 1590, 1630.
H	206	DIVISION OF MOTOR VEHICLES HEAD IS A DEPARTMENT OF TRANSPORTATION DEPUTY (Failed 2nd Reading)	111, 295, 315.
H	290	ELECTRONIC COMMERCE COMMISSION (Rules, Calendar & Operations of the House) (Included Ch. SL 97-0483)	138.
H	1033	ESTABLISHMENT OF BANK BRANCHES (Ch. SL 97-0054)	600, 752, 806, 898, 959.
H	463	FARM PRODUCTS WEIGHT EXEMPTION (Ch. SL 97-0354)	236, 423, 491, 1427, 1506.
H	375	FISHERIES REFORM ACT (Environment)	181.
H	1097	FISHERIES REFORM ACT (Ch. SL 97-0400)	613, 662, 948, 1044, 1083, 1117, 1126, 1565, 1576, 1588, 1591, 1604.
H	1024	FOREIGN INSURER LICENSING (Ch. SL 97-0179)	599, 673, 721, 1043, 1063, 1068, 1160.
H	1106	FOREST PRODUCT TRUCK WEIGHT EXEMPTION (Transportation)	615.

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- S 886 HIRE AMONG MOST QUALIFIED
(Ch. SL 97-0520) (H 1096)... 1561, 1722, 1743, 1796.
- S 611 INSURANCE FRONTING
(Rules, Calendar & Operations of the House)..... 803.
- S 577 INSURANCE PREMIUM FINANCING
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- S 612 INSURER FINANCIAL OPERATIONS
(Rules, Calendar & Operations of the House)..... 624.
- H 461 INTERSTATE TRUST COMPANY ACT
(Commerce) 236.
- H 134 INVESTMENT SECURITIES UNIFORM
COMMERCIAL CODE REWRITE
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- H 136 LATE VIDEO RETURN/SALES TAX
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- H 936 LIABILITY FOR LLAMA ACTIVITIES
(Senate) 527, 753, 819.
- H 967 LIGHT DUTY ROAD USE
(Ch. SL 97-0373) 561, 646, 686, 1402,
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- S 426 MAGISTRATES TRUCK SPECIAL PLATES
(Ch. SL 97-0461) 1013, 1314, 1357,
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- S 841 MODIFY CORPORATE DIVIDEND TAXATION
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1713, 1722, 1740, 1767.
- H 970 MORATORIUM ON INTERNET TAX
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- H 1226 MOTOR CARRIER DIESEL TAX PAYMENT
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- H 739 MOTOR VEHICLE DEALERS/
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(Ch. SL 97-0319) 416, 696, 777, 1271,
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- H 617 NO COMPETITION BY SCHOOL BUSES
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- S 994 NO DIRECT ALCOHOLIC BEVERAGE CONTROL
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(Ch. SL 97-0348) 801, 1233, 1369,
1393, 1403, 1413, 1506.

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S	847	NO SALES TAX/REUSABLE CONTAINERS (Ch. SL 97-0397)	1013, 1233, 1377, 1501, 1540, 1603.
H	1080	NORTH CAROLINA'S WITHDRAWAL FROM SOUTHEAST COMPACT (Commerce)	610.
H	430	PERMISSIBLE SALES AT ZOO (Ch. SL 97-0258)	230, 653, 886, 931, 1219, 1244, 1248, 1299.
H	796	PRESCRIPTION DRUGS/COMPETITION (Insurance) (Included Ch. SL 97-0483) (S 866)	450.
S	866	PRESCRIPTION DRUGS/COMPETITION (Insurance - Health) (Included Ch. SL 97-0483) (H 796)	823, 1039.
H	530	PROFESSIONAL CORPORATION ACT AMENDMENT (Ch. SL 97- 0244)	310, 692, 836, 1163, 1171, 1176, 1251.
H	916	PROHIBIT AUTOMATED TELLER MACHINE SURCHARGE (Commerce)	516.
H	61	PROPOSED CHANGES/CHAPTER 106 (Ch. SL 97-0074)	56, 149, 166, 194, 944, 1009.
H	114	REPEAL UNIFORM COMMERCIAL CODE ARTICLE ON BULK TRANSFERS (Senate)	88, 410, 490.
H	1094	REPEAL/RECODIFY RAILROAD LAWS (Senate)	613, 734, 1093, 1147, 1156.
H	1037	SALE OF CERTAIN EXOTIC MEATS (Senate)	601, 730, 774, 780, 843.
S	329	SAVINGS BANK NAME (Ch. SL 97-0241)	351, 1047, 1100, 1147, 1176, 1251.
H	1084	SELF-SERVE STORAGE LATE FEES (Finance)	611, 1046.
H	998	SOUTHERN DAIRY COMPACT (Senate) (S 977)	584, 1036, 1123, 1137, 1175.
S	977	SOUTHERN DAIRY COMPACT (Ch. SL 97-0494) (H 998)	1733, 1783, 1789, 1811.
S	815	SPEAKER/PRO TEM APPOINTMENTS (Ch. SL 97-0495)	1718, 1751, 1783, 1790, 1816.
S	98	TAX AT RACK IMPROVEMENTS (Ch. SL 97-0060)	164, 251, 502, 503, 537, 880, 891, 898, 959.

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S	253	TELEPHONE CONSUMER PROTECTION (Ch. SL 97-0482)	952, 1331, 1375, 1508, 1629, 1631, 1649, 1687.
H	1096	TRUCKING ADJUSTMENT ACT OF 1997 (Ch. SL 97-0466) (S 886)	613, 1400, 1508, 1536, 1537, 1545, 1556, 1623, 1646, 1654.
H	178	TWO-YEAR DRIVER INSTRUCTOR LICENSE (Ch. SL 97-0033)	105, 201, 307, 327, 341, 551, 667.
H	450	UNEMPLOYMENT INSURANCE TAX CHANGE (Commerce)	234.
S	864	UPDATE AND REVISE TRADEMARK ACT (Ch. SL 97-0476)	822, 981, 1075, 1083, 1116, 1136, 1629, 1631, 1648, 1703.
S	427	WOOD CHIP HAULING WEIGHT EXEMPTION (Transportation)	786.

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S	333	COMMODITIES ACT AMENDMENT (Calendar Pursuant to Rule 36(a))	360, 1346.
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H	115	1997 TECHNICAL CORRECTIONS (Ch. SL 97-0456)	88, 523, 567, 625, 1790, 1791, 1802, 1803, 1805, 1816.
H	113	COLLEGE OF THE ALBEMARLE TRUSTEES (Ch. SL 97-0012)	88, 127, 140, 395, 396.
H	157	COMMUNITY COLLEGE SCHOLARSHIP PROGRAM (Approp - Education)	98, 592, 872.
H	493	CURRENT OPERATIONS APPROPRIATIONS ACT (Appropriations) (S 352)	242.
S	352	CURRENT OPERATIONS APPROPRIATIONS ACT (Ch. SL 97-0443) (H 493)	688, 1073, 1080, 1095, 1101, 1124, 1141, 1723, 1725, 1729, 1748.
S	799	DISCIPLINE DISCLOSURE ACT (Public Employees)	851.

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H 769	DROPOUT PREVENTION/DRIVERS LICENSE (Ch. SL 97-0507)	446, 592, 886, 938, 981, 1055, 1066, 1715, 1724, 1749.
S 319	NEW COMMUNITY COLLEGE AUTHORIZED (Education).....	326.
H 308	REPEAL SUNSET ON FICA SAVING USE (Approp - Education) (Included Ch. SL 97-0443)	144, 201, 872.
H 1136	REVISE STATE BOARD OF COMMUNITY COLLEGE ELECTION (Rules, Calendar & Operations of the House).....	622, 691, 725, 756.

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ELECTION BY HOUSE	986, 989.
ELECTION BY SENATE	989.
REPORT BY SUBCOMMITTEE	986.

COMPANY POLICE ACT (G.S. 74E)

S 561	CAMPUS POLICE/CONCEALED HANDGUNS (Ch. SL 97-0441)	824, 1090, 1166, 1195, 1327, 1491, 1496, 1576, 1592, 1615, 1637.
S 799	DISCIPLINE DISCLOSURE ACT (Public Employees).....	851.

**COMMUNITY PROPERTY RIGHTS AT DEATH ACT,
UNIFORM DISPOSITION OF (G.S. 31C)**

H 908	MODIFY RIGHTS OF DECEDENT'S SPOUSE (Senate) (Included Ch. SL 97-0483)	514, 691, 776.
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CONFERENCE REPORTS

H 115	1997 TECHNICAL CORRECTIONS	1803.
S 316	AMEND BILL LEE ACT	1217, 1237, 1255.
S 297	AMEND CHARTER SCHOOLS LAWS	1541, 1554.
S 442	AMERICAN HISTORY ACT	1561, 1574.
H 773	BALD HEAD ISLAND CHARTER.....	1399, 1420, 1429, 1449.
S 143	BAN TOBACCO SALES TO MINORS	1592, 1607.
H 1108	BREW ON PREMISES PERMITS.....	1632, 1644.
S 429	CHARLOTTE CIVIL SERVICE BOARD	1373, 1385.
H 515	CLEAN WATER/ENVIRONMENTALLY SOUND POLICY ACT	1700, 1703.
H 15	CONFORM TAX ON RESTORED INCOME...	1125, 1142.

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S	157	CORPORATE AMENDMENTS.....	1657, 1676, 1690.
S	352	CURRENT OPERATIONS APPROPRIATIONS ACT.....	1723, 1725.
H	183	DRIVING WHILE IMPAIRED/FELONY PRIOR RECORD LEVEL	1664, 1675.
S	683	DURHAM CITY MANAGER/ALAMANCE....	1734, 1757.
S	272	EXCELLENT SCHOOLS ACT	1175, 1181, 1185.
S	1	FULL DISCLOSURE ACT OF 1997	1805.
S	38	FUTURE OF ELECTRIC SERVICE STUDY	564, 586.
S	711	GRANTSBORO INCORPORATED	1723, 1758.
S	343	HOUSING AUTHORITY DUTIES	1733, 1755.
H	227	INACTIVE HAZARDOUS SITES RECORDATION	1651, 1657.
S	727	INSURANCE REGULATORY CHARGE	1616, 1625, 1642.
S	264	LIABILITY FOR JOB REFERENCES	1681, 1692.
S	660	LICENSE ATHLETIC TRAINERS	1500, 1511.
H	1140	LITTERING/REQUIRE COMMUNITY SERVICE.....	1774, 1788.
S	556	LOCAL SPRINKLER SYSTEMS.....	1374, 1386, 1403, 1411, 1420.
H	1231	LOCAL TRANSIT REVENUE OPTIONS	1579, 1585.
H	699	NEWPORT/BETHEL/FARMVILLE MINIMUM HOUSING	1625, 1643.
H	437	PILOT MOUNTAIN RECREATION/ LOCAL TREE REGULATION	1651, 1659.
H	431	PUBLIC ASSISTANCE FRAUD.....	1737, 1752.
H	484	RECORD NOTICES OF OPEN DUMPS.....	1346, 1362.
S	356	REIDSVILLE ANNEXATIONS	1466, 1473.
H	81	RESIDENCY REQUIREMENTS FOR SPECIAL ASSISTANCE	1100, 1114.
S	676	SEX OFFENDER LAWS/ FEDERAL COMPLIANCE.....	1774, 1784.
H	1156	SPECIAL LICENSE PLATES	1733, 1753.
S	725	STATE EMPLOYEE INCENTIVE BONUS	1723, 1759.
S	32	STUDIES ACT	1801.
S	764	WORKERS' COMPENSATION MEDICAL CARE.....	1286, 1306.

CONFIDENTIALITY

H	852	911 DATABASE CONFIDENTIALITY (Ch. SL 97-0287).....	467, 572, 589, 1237, 1258, 1268, 1356.
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H	536	ABORTION/RIGHT TO KNOW (Senate)	312, 691, 770, 775.
H	1206	ADOPTION REGISTRY (Human Resources) (Included Ch. SL 97-0483)	846.
S	564	AMEND FINANCIAL PRIVACY ACT (Rules, Calendar & Operations of the House)	850, 1343, 1547.
H	151	CHILD FATALITY TASK FORCE CONFIDENTIAL RECORDS (Judiciary II)	97, 262.
H	493	CURRENT OPERATIONS APPROPRIATIONS ACT (Appropriations) (S 352)	242.
S	352	CURRENT OPERATIONS APPROPRIATIONS ACT (Ch. SL 97-0443) (H 493)	688, 1073, 1080, 1095, 1101, 1124, 1141, 1723, 1725, 1729, 1748.
S	799	DISCIPLINE DISCLOSURE ACT (Public Employees)	851.
H	485	FUNERAL ESTABLISHMENTS (Ch. SL 97-0399)	241, 524, 644, 716, 744, 1540, 1604.
H	925	HEALTH CARE INFORMATION PRIVACY (Rules, Calendar & Operations of the House) (Included Ch. SL 97-0483)	518, 579, 989.
S	247	HOSPITAL CONTRACT CONFIDENTIAL SUNSET OFF (Ch. SL 97-0123)	325, 506, 521, 914, 932, 936, 955, 987, 1071.
H	949	IMPROVE CHILD PROTECTION/RECORDS (Ch. SL 97-0459)	544, 749, 1416, 1488, 1508, 1533, 1602.
H	541	IMPROVE HEALTH MAINTENANCE ORGANIZATION SERVICES (Insurance) (S 455)	323.
S	455	IMPROVE HEALTH MAINTENANCE ORGANIZATION SERVICES (Ch. SL 97-0474) (H 541)	822, 961, 1226, 1314, 1338, 404, 1461, 1546, 1557, 1673.
S	727	INSURANCE REGULATORY CHARGE (Ch. SL 97-0475) (Included Ch. SL 97-0443)	625, 1012, 1038, 1052, 1054, 1064, 1598, 1606, 1616, 1625, 1642, 1707, 1714.
S	371	INTERNATIONAL COMMERCIAL CONCILIATION (Ch. SL 97-0368)	822, 945, 960, 1432, 1468, 1549.

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H	197	JUDICIAL TIMBER SALE/SEALED BID (Ch. SL 97-0083)	109, 229, 260, 926, 940, 947, 1010.
H	89	JUVENILE PROBATION/SCHOOL NOTIFICATION (Senate)	69, 228, 259, 260, 261.
S	935	MANAGED CARE/UTILIZATION AND GRIEVANCE (Rules, Calendar & Operations of the House)....	1221.
H	424	OCCUPATIONAL SAFETY AND HEALTH ACT WITNESS STATEMENTS (Commerce) (S 791).....	222.
S	791	OCCUPATIONAL SAFETY AND HEALTH ACT WITNESS STATEMENTS (Commerce) (H 424).....	851.
H	1122	OMNIBUS COURT CHANGES (Ch. SL 97-0304)	619, 754, 819, 1334, 1343, 1348, 1350, 1354, 1398.
H	527	OPTOMETRY CHANGES (Ch. SL 97-0075)	310, 493, 566, 567, 987, 1009.
H	1051	ORGAN DONATION/PROCUREMENT (Ch. SL 97-0192)	603, 752, 818, 1095, 1116, 1120, 1198.
S	1055	PUBLIC HOSPITAL PERSONNEL ACT (Ch. SL 97-0517)	798, 1230, 1337, 1816.
H	898	PUBLIC RECORDS/LAW AMENDMENTS (Senate) (Included Ch. SL 97-0483).....	484, 664, 688.
H	512	SCHOOL SAFETY ACT (Approp - Education)	274, 345, 873.
S	438	SECURITIES/INVESTMENT ADVISERS ENFORCEMENT(Ch. SL 97-0462).....	529, 1296, 1447, 1647, 1654.
H	930	SEX OFFENDER LAWS/FEDERAL COMPLIANCE (Judiciary II) (S 676).....	526.
S	676	SEX OFFENDER LAWS/FEDERAL COMPLIANCE (Ch. SL 97-0516) (H 930).....	1013, 1178, 1416, 1515, 1535, 1544, 1555, 1563, 1577, 1622, 1774, 1781, 1784, 1815.
H	891	WORKERS' COMPENSATION MEDICAL CARE (Senate) (S 764)	474, 692, 727, 731, 818.
S	764	WORKERS' COMPENSATION MEDICAL CARE (Ch. SL 97-0308) (H 891).....	787, 1091, 1146, 1170, 1286, 1303, 1306, 1320, 1414.

CONSERVATION AND DEVELOPMENT (G.S. 113)

H 115	1997 TECHNICAL CORRECTIONS (Ch. SL 97-0456)	88, 523, 567, 625, 1790, 1791, 1802, 1803, 1805, 1816.
H 635	ADDITION TO STATE PARKS SYSTEM (Approp - Capital & Budget) (S 537).....	375, 653, 685, 903.
S 537	ADDITION TO STATE PARKS SYSTEM (Ch. SL 97-0276) (H 635).....	708, 921, 1163, 1206, 1222, 1283, 1329.
H 1090	BEACH RENOURISHMENT/RESERVE FUNDS (Environment)	612.
H 216	CLEAN WATER TRUST FUND/LOANS OKAY (Environment)	113.
H 787	CORE SOUND SHELLFISH LEASES (Environment)	449.
H 788	CORE SOUND SHELLFISH LEASES (Environment)	449.
H 493	CURRENT OPERATIONS APPROPRIATIONS ACT (Appropriations) (S 352).....	242.
S 352	CURRENT OPERATIONS APPROPRIATIONS ACT (Ch. SL 97-0443) (H 493).....	688, 1073, 1080, 1095, 1101, 1124, 1141, 1723, 1725, 1729, 1748.
H 1061	DISABLED SPORTSMAN LICENSES (Ch. SL 97-0326)	605, 762, 1060, 1084, 1117, 1334, 1348, 1354.
H 188	ENVIRONMENTAL TECHNICAL CORRECTIONS (Senate) (S 169)	107, 556, 626.
S 169	ENVIRONMENTAL TECHNICAL CORRECTIONS (Rules, Calendar & Operations of the House) (H 188).....	707.
H 164	EXEMPT STATE PORTS PURCHASE AND CONTRACT (State Government) (S 141).....	100.
H 375	FISHERIES REFORM ACT (Environment)	181.
H 1097	FISHERIES REFORM ACT (Ch. SL 97-0400)	613, 662, 948, 1044, 1083, 1117, 1126, 1565, 1576, 1588, 1591, 1604.
H 974	IMPROVE ANIMAL WASTE MANAGEMENT (Environment)	562.
H 554	LICENSES FOR DISABLED VETERANS (Senate)	334, 653, 719.

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H	965	MARINE FISHERIES (Rules, Calendar & Operations of the House).....	561.
H	246	NATURAL HERITAGE TRUST FUND AMENDED (Approp - Capital & Budget) (S 178)	120, 385.
S	178	NATURAL HERITAGE TRUST FUND AMENDED (Ch. SL 97-0366) (H 246).....	707, 1157, 1299, 1432, 1468, 1549.
H	262	NITROGEN LIMIT FOR CERTAIN WATERS (Environment)	124.
H	900	NITROGEN LIMIT/CLEAN WATER FUND MODIFICATIONS (Senate)	484, 662, 792.
S	172	NO SAFETY COURSE/DISABLED HUNTERS (Ch. SL 97-0365)	392, 558, 869, 943, 1468, 1549.
H	430	PERMISSIBLE SALES AT ZOO (Ch. SL 97-0258)	230, 653, 886, 931, 1219, 1244, 1248, 1299.
H	1120	PRESCRIBED BURNING IN FORESTS (Senate) (S 859)	618, 633, 698, 778.
S	859	PRESCRIBED BURNING IN FORESTS (Rules, Calendar & Operations of the House) (H 1120)	800.
S	266	PRODUCTION AND SALE OF RED DEER (Ch. SL 97-0142)	563, 887, 936, 964, 972, 1025, 1108.
H	1037	SALE OF CERTAIN EXOTIC MEATS (Senate)	601, 730, 774, 780, 843.
S	141	STATE CONTRACT EXEMPTIONS (Ch. SL 97-0331) (H 164)	406, 1233, 1319, 1338, 1351, 1384, 1470.
S	121	STATEWIDE TAKING OF BEAVER (Ch. SL 97-0097)	192, 993, 1017, 1026, 1042.
H	718	TAKING OF FOXES AND RACCOONS (Ch. SL 97-0132)	413, 578, 627, 1078, 1089.
H	133	TRANSFER MARINE FISHERIES (Environment)	93.
H	302	WILDLIFE/RABIES EMERGENCY (Ch. SL 97-0402)	143, 762, 827, 1510, 1524, 1529, 1618.

CONSTITUTION, NORTH CAROLINA

H	635	ADDITION TO STATE PARKS SYSTEM (Approp - Capital & Budget) (S 537)	375, 653, 685, 903.
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CONSTITUTION, NORTH CAROLINA-Contd.

S	537	ADDITION TO STATE PARKS SYSTEM (Ch. SL 97-0276) (H 635).....	708, 921, 1163, 1206, 1222, 1283, 1329.
S	442	AMERICAN HISTORY ACT (Ch. SL 97-0422)	799, 1136, 1185, 1194, 1195, 1240, 1286, 1552, 1561, 1574, 1581, 1689.
H	981	CIVIL RIGHTS RESTORATION ACT (Judiciary I)	581.
H	741	COURT IMPROVEMENT ACT/CONSTITUTION (Judiciary I)	416, 538.
S	5	EDUCATION GOVERNANCE CHANGES (Failed 2nd Reading)....	798, 1161, 1224, 1239, 1240.
H	663	GUBERNATORIAL TEAM TICKET (Election Law & Campaign Reform)	391.
H	52	INDEPENDENT REDISTRICTING COMMISSION (Congressional Redistricting)	54, 216.
H	1145	JUDICIAL RETENTION (Election Law & Campaign Reform)	624.
H	1070	LOCAL OPTION HOMESTEAD RELIEF (Ways & Means) (S 421)	607.
S	421	LOCAL OPTION HOMESTEAD RELIEF (Ways & Means) (H 1070)	708.
S	452	LOCAL REGULATION ADULT ENTERTAINMENT (Finance)	563, 934, 1131.
S	905	SESSION LENGTH LIMITS (Rules, Calendar & Operations of the House)	852.
S	904	SESSION LIMITS IMPLEMENTING (Election Law & Campaign Reform)	824.
H	578	SINGLE-MEMBER DISTRICTS (Election Law & Campaign Reform)	339, 380, 670, 785.
H	928	TAXPAYER PROTECTION AMENDMENT (Finance)	525.
H	6	TERM LIMITS FOR LEGISLATURE (Election Law & Campaign Reform)	42.
H	7	TERM LIMITS/LEGISLATURE/CONFORM (Election Law & Campaign Reform)	43.

CONTRACTORS (G.S. 87)

S	996	PLUMBING LICENSE EXEMPTION (Ch. SL 97-0298)	768, 1230, 1265, 1298, 1397.
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CONTRACTORS-Contd.

H	408	PLUMBING/HEATING CONTRACTORS (Ch. SL 97-0382)	219, 555, 949, 965, 972, 1481, 1489, 1495, 1567.
S	425	REFRIGERATION CONTRACTORS (Finance)	547, 1346.
H	251	WELL CONTRACTORS CERTIFICATION (Ch. SL 97-0358)	121, 987, 1111, 1143, 1155, 1459, 1518.

CONVEYANCES (G.S. 39)

H	301	CHILD SUPPORT/FEDERAL REQUIREMENTS (Ch. SL 97-0433)	143, 701, 949, 1165, 1183, 1585, 1612, 1629, 1638.
S	251	CREATION OF EASEMENTS BY LANDOWNER (Ch. SL 97-0333)	586, 900, 1337, 1351, 1384, 1470.
H	1100	REGISTER OF DEEDS' MATTERS (Finance)	614, 699.
S	875	REVISE RECORDS LAWS (Ch. SL 97-0309)	1072, 1162, 1225, 1263, 1274, 1278, 1320, 1414.
H	407	UNIFORM FRAUDULENT TRANSFER ACT (Ch. SL 97-0291)	205, 410, 491, 1179, 1252, 1271, 1278, 1283, 1356.

COOK, CLYDE, JR.

APPOINTED SERGEANT-AT-ARMS	38.
OATH AS SERGEANT-AT-ARMS	39.

CORONERS (G.S. 152)

H	470	MEDICAL INVESTIGATORS (Senate)	238, 669, 720, 781.
H	7	TERM LIMITS/LEGISLATURE/CONFORM (Election Law & Campaign Reform)	43.

CORRECTIONS - see PRISON SYSTEM, STATE**COSMETIC ART (G.S. 88)**

S	916	COSMETOLOGISTS (Rules, Calendar & Operations of the House)....	1027.
H	1056	ESTHETICIAN REGISTRATION (Rules, Calendar & Operations of the House).....	604.

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S	636	PUBLIC HEALTH AUTHORITY ACT	
		(Ch. SL 97-0502)	822, 1411, 1739, 1764, 1810.

COUNTIES (G.S. 153A) -**also see CITIES AND TOWNS; and Individual County**

H	115	1997 TECHNICAL CORRECTIONS	
		(Ch. SL 97-0456)	88, 523, 567, 625, 1790, 1791, 1802, 1803, 1805, 1816.
S	1054	ALLOW BURMA DIVESTITURE	
		(Commerce)	798, 896.
H	734	CLARIFYING GENERAL STATUTES 153A-15	
		(Senate)	415, 730, 805.
H	515	CLEAN WATER/ENVIRONMENTALLY SOUND POLICY ACT	
		(Ch. SL 97-0458)	275, 664, 746, 1210, 1471, 1482, 1503, 1520, 1700, 1703, 1705, 1718.
H	213	CONTROL OF COUNTY BOARDS/HUMAN SERVICES (Human Resources)	112.
H	265	COUNTY ORTHOPHOTOGRAPHY BOUNDARIES	
		(Ch. SL 97-0299)	127, 202, 224, 245, 248, 257, 269, 1270, 1289, 1298, 1398.
H	1016	COUNTY SHARE/DAY CARE FRAUD COLLECTIONS	
		(Human Resources) (S 304)	597.
S	304	COUNTY SHARE/DAY CARE FRAUD COLLECTIONS	
		(Human Resources) (H 1016)	740.
H	1044	COUNTY TAX INFORMATION RECIPIENT	
		(Ch. SL 97-0340)	602, 655, 733, 818, 1368, 1387, 1397, 1471.
S	535	COUNTY/CONSENT BEFORE ACQUISITION	
		(Ch. SL 97-0263)	765, 1062, 1082, 1122, 1195, 1207, 1214, 1312.
H	406	CURFEW FOR PERSONS UNDER 18	
		(Ch. SL 97-0189)	205, 322, 490, 1079, 1115, 1120, 1189.
H	493	CURRENT OPERATIONS APPROPRIATIONS ACT	
		(Appropriations) (S 352)	242.
S	352	CURRENT OPERATIONS APPROPRIATIONS ACT	
		(Ch. SL 97-0443) (H 493)	688, 1073, 1080, 1095, 1101, 1124, 1141, 1723, 1725, 1729, 1748.

COUNTIES-Contd.

S	799	DISCIPLINE DISCLOSURE ACT (Public Employees).....	851.
H	464	ENHANCE CHILD CARE (Human Resources).....	237, 689.
S	929	ENHANCE CHILD CARE (Ch. SL 97-0506)	797, 1600, 1662, 1695, 1714, 1734, 1796.
H	307	ENVIRONMENTAL LAWS ACT (Calendar Pursuant Rule 36(a)).....	144, 664.
H	85	ENVIRONMENTALLY SOUND POLICY ACT (Rules, Calendar & Operations of the House).....	68, 345, 1725.
H	101	EXTEND TRI-COUNTY ADMINISTRATION (Ch. SL 97-0280)	73, 159, 205, 217, 247, 256, 1297, 1298, 1355.
S	317	LOCAL GOVERNMENT DEBT CHANGES (Finance)	802.
S	636	PUBLIC HEALTH AUTHORITY ACT (Ch. SL 97-0502)	822, 1411, 1739, 1764, 1810.
H	1100	REGISTER OF DEEDS' MATTERS (Finance)	614, 699.
S	875	REVISE RECORDS LAWS (Ch. SL 97-0309)	1072, 1162, 1225, 1263, 1274, 1278, 1320, 1414.
H	859	ROOM TAX CHANGES (Ch. SL 97-0364)	468, 1302, 1315, 1344, 1389, 1405, 1499, 1513, 1523, 1530, 1549.
H	64	SCHOOL BOARD LEASES OF SCHOOL BUILDINGS (Education) (S 71).....	58.
S	71	SCHOOL BOARD LEASES OF SCHOOL BUILDINGS (Ch. SL 97-0236) (H 64)	172, 186, 490, 503, 1073, 1146, 1168, 1250.
S	1015	WELFARE REFORM ACT OF 1997 (Appropriations).....	853, 1037.
H	944	ZONING/SITING SWINE FARMS (Rules, Calendar & Operations of the House).....	543.

CRAVEN COUNTY

H	452	BEACH PLAN AMENDMENTS (Ch. SL 97-0498) (Included Ch. SL 97-0483).....	234, 632, 685, 1271, 1720, 1761, 1797.
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CRAVEN COUNTY-Contd.

S	535	COUNTY/CONSENT BEFORE ACQUISITION (Ch. SL 97-0263)	765, 1062, 1082, 1122, 1195, 1207, 1214, 1312.
H	609	CRAVEN LOCAL ACT (Rules, Calendar & Operations of the House).....	359.
H	725	CRAVEN LOCAL ACT (Rules, Calendar & Operations of the House).....	414.
H	727	CRAVEN LOCAL ACT (Rules, Calendar & Operations of the House).....	414.
H	870	LOCAL WORKING OF PRISONERS (Senate)	470, 633, 697, 833.
H	367	NORTHEAST COUNTIES INSPECTION LIENS (Senate)	179, 319, 367, 393.
H	63	RIVER BEND ZONING/ANNEXATION (Ch. SL 97-0363)	57, 125, 296, 320, 677, 710, 1333, 1495, 1512, 1523, 1529, 1549.
H	11	SCHOOL SNOW-DAY FLEXIBILITY (Senate)	44, 125, 140, 146.
S	58	UNLAWFUL TO REMOVE DOG COLLARS (Ch. SL 97-0150)	153, 992, 1017, 1050, 1064, 1074, 1099, 1109.

CRAWFORD, JAMES W., JR.

APPROVAL OF VOTE CHANGE ON CONFERENCE REPORT ON S.B. 143.....		1607.
BILLS INTRODUCED - *68, *69, *70, *71, 75, 82, 122, 131, 139, *161, *162, 178, 183, 233, 248, 250, 295, 310, *346, 351, 352, 389, *392, *393, 396, 397, 403, 404, 422, 423, 492, 493, *532, 560, 561, 562, 563, *592, 644, 680, 704, 739, 770, *796, 919, 941, 987, 988, 1064, 1067, 1092, 1096, 1115, 1116, 1155, 1162, 1167, *1176, 1177, 1195.		
COMMITTEE ASSIGNMENTS - Appropriations, Co-Chair; Commerce; Commerce, Subcommittee on Public Utilities, Ranking Minority Member; Congressional Redistricting; Education, Ranking Minority Member; Education, Subcommittee on Universities, Chair; Finance; Judiciary I; Rules, Calendar, and Operations of the House, Ranking Minority Member; Transportation.		
CONFeree: H.B. 115		1791.
CONFeree: S.B. 32.....		1800.
CONFeree: S.B. 352.....		1141.
ESCORT FOR COACH DEAN SMITH		1509.
EXCUSED ABSENCES.....		263, 481, 493, 666.
OATH		18.

CREECH, BILLY J.**APPOINTMENT TO SELECT COMMITTEE ON****JUSTICE AND THE FUTURE OF THE COURTS..... 538.**

BILLS INTRODUCED - 12, 13, 14, 15, 128, 129, 131, 139, 145, 165, 183, 184, *185, *186, *261, 295, 310, 313, 389, 392, 393, 396, 397, 403, 404, *422, *423, 492, 493, 512, 518, 519, 525, 527, 536, 554, *590, 665, 672, 701, 707, 739, 746, 770, 813, 824, 869, 891, 909, 930, 980, 981, 1010, 1014, 1064, 1074, *1092, 1111, 1128, 1155, 1162, 1177, 1195, 1239.

COMMITTEE ASSIGNMENTS - Appropriations, Co-Chair; Commerce; Commerce, Subcommittee on Business and Labor; Human Resources; Human Resources, Subcommittee on Aging; Judiciary II; Transportation; Welfare Reform.

CONFEREE: H.B. 115 1791.

CONFEREE: S.B. 352 1141.

EXCUSED ABSENCES 409, 1006, 1024, 1040, 1058, 1068, 1078, 1517, 1602.

OATH 18.

CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS**COMMISSION, N.C. (G.S. 17C)**

H 955 ADD NORTH CAROLINA CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION MEMBER (Rules, Calendar & Operations of the House)..... 545.

S 799 DISCIPLINE DISCLOSURE ACT (Public Employees) 851.

S 853 REVENUE OFFICERS' POLICE POWERS (Ch. SL 97-0503) 1347, 1722, 1724, 1745, 1779, 1782, 1810.

CRIMINAL LAW (G.S. 14)

H 83 1997 EDUCATION LOTTERY (Rules, Calendar & Operations of the House)..... 68.

H 918 1997 LOTTERY FOR EDUCATION (Rules, Calendar & Operations of the House)..... 516.

H 115 1997 TECHNICAL CORRECTIONS (Ch. SL 97-0456) 88, 523, 567, 625, 1790, 1791, 1802, 1803, 1805, 1816.

H 142 ACCESSORY AFTER THE FACT/PENALTY (Senate) 95, 149, 248.

H 1085 AMEND ETHNIC INTIMIDATION LAW (Judiciary I) 611.

CRIMINAL LAW-Contd.

H	902	AMEND STALKING LAW (Judiciary II) (S 667).....	498, 521.
S	667	AMEND STALKING LAW (Ch. SL 97-0306) (H 902).....	625, 1161, 1318, 1340, 1414.
H	388	AMEND TRESPASS OFFENSES (Calendar Pursuant Rule 36(a)).....	190, 730.
H	995	AMEND TRESPASS/SURVEYORS (Senate).....	584, 755, 808.
H	427	ASSAULT CORRECTIONS OFFICER (Senate).....	222, 542, 568.
H	425	ASSAULT WITH BODILY FLUIDS (Judiciary II).....	222.
H	1114	BAD CHECK COLLECTIONS PILOT (Senate).....	617, 1067, 1377, 1454, 1465.
H	303	BAN PARTIAL-BIRTH ABORTIONS (Senate).....	144, 691, 793.
S	143	BAN TOBACCO SALES TO MINORS (Ch. SL 97-0434).....	299, 1229, 1292, 1333, 1379, 1391, 1592, 1607, 1617, 1621.
S	389	BASEBALL PARK DISTRICTS (Ch. SL 97-0380).....	529, 1285, 1442, 1453, 1494, 1551.
H	267	BOMB THREAT/FELONY (Senate).....	128, 177, 198, 223.
S	561	CAMPUS POLICE/CONCEALED HANDGUNS (Ch. SL 97-0441).....	824, 1090, 1166, 1195, 1327, 1491, 1496, 1576, 1592, 1615, 1637.
H	951	CHARITABLE BINGO REGULATIONS (Judiciary II) (Included Ch. SL 97-0483).....	545.
H	139	CLARIFY SEX OFFENDER REGISTRATION (Ch. SL 97-0015).....	94, 177, 258, 356, 458.
H	433	CONCEALED HANDGUN EXEMPTION (Ch. SL 97-0274) (S 325).....	231, 669, 720, 1203, 1212, 1214, 1313.
S	325	CONCEALED HANDGUN EXEMPTION (Rules, Calendar & Operations of the House) (H 433).....	788.
H	958	CONCEALED HANDGUN LAWS AMENDMENTS (Ch. SL 97-0238).....	559, 761, 821, 1140, 1154, 1159, 1250.

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H	523	CONFISCATED GUN/LAW OFFICER USE (Ch. SL 97-0356)	298, 661, 719, 1419, 1431, 1445, 1507.
S	916	COSMETOLOGISTS (Rules, Calendar & Operations of the House)....	1027.
H	493	CURRENT OPERATIONS APPROPRIATIONS ACT (Appropriations) (S 352)	242.
S	352	CURRENT OPERATIONS APPROPRIATIONS ACT (Ch. SL 97-0443) (H 493)	688, 1073, 1080, 1095, 1101, 1124, 1141, 1723, 1725, 1729, 1748.
H	1132	DATE RAPE DRUGS (Ch. SL 97-0501)	621, 731, 838, 1733, 1762, 1797.
H	394	DOGFIGHTS/GAMBLING/FELONY (Judiciary I)	191.
H	141	EMBEZZLEMENT/INCREASE PENALTY (Senate)	95, 157, 257.
H	135	FAST-TRACK TECHNICAL AMENDMENTS (Judiciary II) (S 86)	93.
S	86	FAST-TRACK TECHNICAL AMENDMENTS (Ch. SL 97-0009) (H 135)	146, 186, 260, 318, 396.
H	389	FELONY CHILD ABUSE/INCREASE PENALTY (Senate)	190, 320, 342.
S	998	FRAUD/"PRETEND" CRIME VICTIM (Judiciary II)	824.
H	1010	GOVERNMENT USE/SEIZED GUN PARTS (Judiciary I) (S 246)	595.
S	246	GOVERNMENT USE/SEIZED GUN PARTS (Judiciary I) (H 1010)	350.
H	222	HABITUAL FELON DETERMINATION (Senate)	115, 661, 719.
S	441	HANDGUN FEE REALLOCATION (Ch. SL 97-0470)	1101, 1416, 1450, 1453, 1583, 1615, 1648, 1669.
S	997	IGNORE EMERGENCY WARNING (Ch. SL 97-0232)	825, 982, 1128, 1144, 1169, 1250.
H	1048	INCREASE COCK FIGHTING PENALTY (Rules, Calendar & Operations of the House)	575, 603.
H	1049	INCREASE CRUELTY TO ANIMALS PENALTY (Senate)	576, 603, 639, 774, 842.
H	27	INCREASE PENALTY/PYRAMID SCHEMES (Senate)	49, 495, 665, 754, 807, 808.

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H 594	INJURY TO PREGNANT WOMAN	
	(Senate)	349, 755, 839.
H 1140	LITTERING/REQUIRE COMMUNITY SERVICE	
	(Ch. SL 97-0518)	623, 726, 781, 1140, 1154, 1170, 1774, 1788, 1789, 1816.
S 452	LOCAL REGULATION ADULT ENTERTAINMENT	
	(Finance)	563, 934, 1131.
H 1087	MOTORIZED VEHICLE TRESPASS	
	(Ch. SL 97-0487)	611, 754, 808, 1623, 1699, 1710, 1719.
H 790	NO RACE OR GENDER ON CHECKS	
	(Ch. SL 97-0149)	449, 631, 717, 984, 1000, 1007, 1109.
H 580	NONRESIDENT HANDGUN PERMIT	
	(Finance)	347, 696.
H 147	OUTLAW DOG FIGHTS	
	(Ch. SL 97-0078)	96, 524, 553, 947, 1009.
H 1065	PARENTAL RIGHTS AND CHILD PROTECTION	
	ACT (Human Resources - Families)	606, 672.
H 159	PRISON ESCAPE PENALTIES	
	(Senate)	99, 334, 354.
H 150	PROHIBIT SALE OF SOME PYROTECHNICS	
	(Reported Unfavorable)	97, 381.
H 29	RAFFLE LIMITS INCREASED	
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H 1094	REPEAL/RECODIFY RAILROAD LAWS	
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S 33	REVENUE LAWS TECHNICAL CHANGES	
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H 930	SEX OFFENDER LAWS/FEDERAL COMPLIANCE	
	(Judiciary II) (S 676)	526.
S 676	SEX OFFENDER LAWS/FEDERAL COMPLIANCE	
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H 1012	SHOOTING RANGE PROTECTION	
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H 297	STATE LOTTERY FOR PUBLIC WORKS	
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H 752	STOLEN LICENSES	
	(Senate)	429, 663, 1252, 1357, 1422.

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H	328	STOP TOBACCO SALES TO MINORS (Senate)	160, 366, 436, 455.
H	175	STRUCTURED SENTENCING/TECHNICAL AND CLARIFYING AMENDMENTS (Ch. SL 97-0080)	104, 458, 505, 947, 1009.
S	253	TELEPHONE CONSUMER PROTECTION (Ch. SL 97-0482)	952, 1331, 1375, 1508, 1629, 1631, 1649, 1687.
H	66	TRESPASS/THEFT OF PINE STRAW (Senate)	58, 148, 174.
H	144	VOLUNTARY MANSLAUGHTER/CLASS D FELONY (Senate)	95, 149, 248.
H	1109	WORTHLESS CHECKS/COMMERCIAL DEBTS (Commerce)	616.

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H	258	ADMINISTRATIVE SEARCH WARRANTS/ WHEN SERVED (Judiciary I) (S 152)	123.
S	152	ADMINISTRATIVE SEARCH WARRANTS/ WHEN SERVED (Judiciary I) (H 258)	376, 924, 944, 955.
H	195	CLARIFY POST-RELEASE SUPERVISION (Ch. SL 97-0237)	109, 442, 492, 1158, 1250.
H	493	CURRENT OPERATIONS APPROPRIATIONS ACT (Appropriations) (S 352)	242.
S	352	CURRENT OPERATIONS APPROPRIATIONS ACT (Ch. SL 97-0443) (H 493)	688, 1073, 1080, 1095, 1101, 1124, 1141, 1723, 1725, 1729, 1748.
H	1050	DONATION OF UNCLAIMED BICYCLES (Ch. SL 97-0180)	576, 603, 639, 1068, 1160.
H	175	STRUCTURED SENTENCING/TECHNICAL AND CLARIFYING AMENDMENTS (Ch. SL 97-0080)	104, 458, 505, 947, 1009.
S	885	TIME AND METHOD FOR EXECUTION (Ch. SL 97-0289)	852, 1162, 1276, 1279, 1283, 1356.
H	336	VICTIM'S FAMILY WITNESS EXECUTION (Ch. SL 97-0070)	162, 264, 303, 939, 953, 957, 1008.
S	1015	WELFARE REFORM ACT OF 1997 (Appropriations)	853, 1037.

CRIMINAL PROCEDURE ACT (G.S. 15A)

H	115	1997 TECHNICAL CORRECTIONS (Ch. SL 97-0456)	88, 523, 567, 625, 1790, 1791, 1802, 1803, 1805, 1816.
H	174	ACTIVE SENTENCE/TRIAL WAITING TIME (Ch. SL 97-0079)	104, 410, 491, 947, 1009.
H	261	ADMINISTRATIVE PROCEDURE ACT TECHNICAL CHANGES (Judiciary I) (S 187)	124.
S	187	ADMINISTRATIVE PROCEDURE ACT TECHNICAL CHANGES (Ch. SL 97-0034) (H 261)	299, 458, 506, 520, 522, 667.
H	137	AGGRAVATING FACTOR/INJURE OFFICIAL (Senate)	94, 135, 155.
S	897	AMEND ELECTRIC SURVEILLANCE LAW (Ch. SL 97-0435)	796, 1178, 1576, 1617.
H	187	AMEND PRIOR RECORD LEVEL CALCULATIONS (Judiciary II)	107.
H	212	CLARIFY COMMUNITY-BASED CORRECTIONS (Senate)	112, 346, 377.
S	16	CLARIFY COMMUNITY-BASED CORRECTIONS (Ch. SL 97-0057)	392, 868, 895, 898, 959.
H	195	CLARIFY POST-RELEASE SUPERVISION (Ch. SL 97-0237)	109, 442, 492, 1158, 1250.
H	218	CONFORM WITNESS TRAVEL FEES (Appropriations)	114, 185.
H	665	CRIME VICTIMS' RIGHTS ACT (Approp - Justice & Public Safety) (Included Ch. SL 97-0483)	392, 1215, 1345, 1374, 1428, 1509.
H	493	CURRENT OPERATIONS APPROPRIATIONS ACT (Appropriations) (S 352)	242.
S	352	CURRENT OPERATIONS APPROPRIATIONS ACT (Ch. SL 97-0443) (H 493)	688, 1073, 1080, 1095, 1101, 1124, 1141, 1723, 1725, 1729, 1748.
H	353	DOMESTIC VIOLENCE/PRETRIAL RELEASE (Judiciary II)	171.
H	183	DRIVING WHILE IMPAIRED/FELONY PRIOR RECORD LEVEL (Ch. SL 97-0486)	106, 304, 410, 482, 632, 659, 1553, 1582, 1612, 1620, 1664, 1675, 1706, 1719.
H	354	ELIMINATE CERTIFIED NOTICE (Senate)	171, 733, 805.

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H 182	EXCLUDE TEN YEAR CONVICTION (Rules, Calendar & Operations of the House).....	106, 524, 553.
H 402	EXPUNGE INFRACTIONS (Ch. SL 97-0138)	204, 698, 778, 1006, 1108.
H 222	HABITUAL FELON DETERMINATION (Senate)	115, 661, 719.
H 1076	INFRACTIONS TO MAGISTRATES (Judiciary I)	609.
H 221	INITIAL APPEARANCE BY VIDEO (Ch. SL 97-0268)	114, 130, 154, 1179, 1193, 1197, 1313.
H 904	LIFE IMPRISONMENT/REPEAT CHILD MOLESTER (Senate)	498, 577, 665, 761, 841.
H 507	MANDATORY JAIL FOR SOME DRIVING WHILE IMPAIRED (Senate)	267, 669, 836.
H 196	POST-RELEASE SUPERVISION/ F AND G FELONS (Judiciary II)	109.
H 1023	PRETRIAL RELEASE AND BOND FORFEITURE (Rules, Calendar & Operations of the House).....	598, 727, 837, 1472.
H 173	RELABEL MISDEMEANOR PRIOR RECORD CONVICTIONS (Judiciary II)	104.
H 217	RESTITUTION/CIVIL JUDGMENT (Judiciary II)	113.
H 512	SCHOOL SAFETY ACT (Approp - Education)	274, 345, 873.
H 175	STRUCTURED SENTENCING/TECHNICAL AND CLARIFYING AMENDMENTS (Ch. SL 97-0080)	104, 458, 505, 947, 1009.
S 919	UNLAWFUL TELECOMMUNICATIONS (Ch. SL 97-0372)	796, 1360, 1387, 1409, 1443, 1479, 1550.
H 465	VOLUNTARY DISMISSAL/NOTIFY DEFENDANT (Ch. SL 97-0228)	237, 633, 660, 1139, 1153, 1159, 1249.

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BETWEEN THE TWO HOUSES	843.
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CULP, ARLIE F.

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COMMITTEE ASSIGNMENTS - Agriculture, Vice Chair; Appropriations; Appropriations, Subcommittee on Natural and Economic Resources; Congressional Redistricting; Environment; Human Resources; Human Resources, Subcommittee on Aging; Public Employees, Chair; Rules, Calendar, and Operations of the House; UNC Board of Governors.

CONFEREE: H.B. 484 1162.
CONFEREE: H.B. 699 (Chair)..... 1478.
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SECONDS ADJOURNMENT 967.

CULPEPPER, WILLIAM T., III**APPOINTMENT TO SELECT COMMITTEE ON**

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COMMITTEE ASSIGNMENTS - Appropriations; Appropriations, Subcommittee on General Government, Ranking Minority Member; Commerce; Commerce, Subcommittee on Public Utilities; Judiciary II, Ranking Minority Member; Ways and Means.

EXCUSED ABSENCES..... 85, 134, 366, 555, 1673.

CULPEPPER, WILLIAM T., III-Contd.

OATH.....	18.
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CUMBERLAND COUNTY

H 668	CUMBERLAND COUNTY HOUSING CODE (Ch. SL 97-0378)	397, 496, 534, 1521, 1531, 1540, 1551.
H 829	CUMBERLAND COUNTY LOCAL ACT (Rules, Calendar & Operations of the House).....	463.
H 830	CUMBERLAND COUNTY LOCAL ACT (Rules, Calendar & Operations of the House).....	463.
H 861	FAYETTEVILLE CHARTER (Ways & Means)	468.
H 862	FAYETTEVILLE DOWNTOWN REVITALIZATION (Rules, Calendar & Operations of the House).....	469.
H 339	FAYETTEVILLE RECALL (Rules, Calendar & Operations of the House) (S 229).....	162.
S 229	FAYETTEVILLE RECALL (Failed 2nd Reading) (H 339)	192, 322, 486.
H 1180	FAYETTEVILLE STATE UNIVERSITY/PEMBROKE TEACHER EDUCATION CONSORTIUM (Approp - Education)	739, 875, 913, 1004.
H 816	HOPE MILLS ANNEXATIONS (Finance - Local, Regional, & State Revenues)	461, 771, 926.
S 529	HOPE MILLS/WEAVERVILLE ANNEXATIONS (Ch. SL 97-0151)	708, 924, 937, 984, 1000, 1016, 1049, 1099, 1109.
S 594	LOCAL SALES TAX FOR SCHOOLS (Rules, Calendar & Operations of the House)....	1750.
S 58	UNLAWFUL TO REMOVE DOG COLLARS (Ch. SL 97-0150)	153, 992, 1017, 1050, 1064, 1074, 1099, 1109.

CUNNINGHAM, W. PETE

APPROVAL OF VOTE CHANGE ON H.B. 189	407.
BILLS INTRODUCED - 2, 25, 26, 27, 32, 33, 83, 108, 109, 110, 150, 151, 152, 153, 154, 155, 156, 235, 308, 309, 312, 341, 342, 343, 347, 351, 372, 395, 399, *405, 433, 527, 550, 551, 552, 554, 560, 561, 562, 563, 591, 598, 708, 709, 766, 767, 906, 943, 1014, 1016, 1019, *1058, 1069, 1075, 1108, 1111, 1115, 1116, 1155, 1182, 1183, 1195, 1210, 1223, 1224, 1230, 1231.	

CUNNINGHAM, W. PETE-Contd.

COMMITTEE ASSIGNMENTS - Finance; Finance, Subcommittee on
Local, Regional, and State Revenues; Human Resources; Human
Resources, Subcommittee on Aging; Local and Regional Government I;
Transportation; Ways and Means.

EXCUSED ABSENCES..... 344, 991, 1040, 1058, 1247, 1267, 1413,
1426, 1445, 1459, 1505, 1517, 1529, 1539, 1602, 1673.

OATH..... 18.

CURRITUCK COUNTY

H 452 BEACH PLAN AMENDMENTS
(Ch. SL 97-0498) (Included Ch. SL 97-0483) 234,
632, 685, 1271, 1720, 1761, 1797.

H 624 CERTAIN COUNTIES REVENUE OPTIONS MENU
(Finance) 74.

S 535 COUNTY/CONSENT BEFORE ACQUISITION
(Ch. SL 97-0263) 765, 1062, 1082,
1122, 1195, 1207, 1214, 1312.

H 411 CURRITUCK GAME COMMISSION CHANGES
(Ch. SL 97-0163) 220, 423, 483,
510, 532, 549, 1107, 1121.

H 703 LOCAL BEAR HUNTING
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-D-**DARE COUNTY**

H 452 BEACH PLAN AMENDMENTS
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H 818 DARE LOCAL ACT
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S 343 HOUSING AUTHORITY DUTIES
(Ch. SL 97-0455) 360, 1600, 1667, 1683,
1697, 1729, 1733, 1755, 1794.

H 636 MANTEO ORDINANCES
(Ch. SL 97-0048) 375, 424, 455, 920, 923.

S 474 MUNICIPALITIES' TREE ORDINANCE
(Ways & Means) 788.

H 437 PILOT MCJUNTAIN RECREATION/
LOCAL TREE REGULATION
(Ch. SL 97-0420) 232, 772, 835, 1321, 1582,
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DAUGHTRY, N. LEO

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COMMITTEE ASSIGNMENTS - Judiciary I, Co-Chair; Ex-Officio Member of All Committees.	
CONFeree: H.B. 115	1791.
CONFeree: H.B. 1108 (Chair).....	1590.
CONFeree: H.B. 1140 (Chair).....	1154.
CONFeree: S.B. 297 (Chair)	1462.
CONFeree: S.B. 352.....	1141.
CONFeree: S.B. 725.....	1698.
CONFeree: S.B. 764.....	1170.
CONFeree: S.B. 993 (Chair)	1288.
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ESCORT FOR GOVERNOR	69.
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EXCUSED VOTE: S.B. 994	1369, 1393.
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DAVIDSON COUNTY

H 115 1997 TECHNICAL CORRECTIONS (Ch. SL 97-0456)	88, 523, 567, 625, 1790, 1791, 1802, 1803, 1805, 1816.
H 737 DAVIDSON COUNTY LOCAL ACT (Rules, Calendar & Operations of the House).....	416.
H 846 DENTON LOCAL ACT (Rules, Calendar & Operations of the House).....	466.
H 268 DIVIDE DISTRICT 22 (Judiciary I).....	128.
H 495 NATURAL GAS (Ch. SL 97-0426)	252, 426, 641, 920, 979, 1021, 1050, 1521, 1532, 1542, 1548, 1689.

DAVIE COUNTY

H	623	COOLEEMEE RECALL (Failed 2nd Reading).....	373, 512, 537.
H	621	DAVIE LOCAL ACT (Rules, Calendar & Operations of the House).....	373.
H	622	DAVIE LOCAL ACT (Rules, Calendar & Operations of the House).....	373.
H	268	DIVIDE DISTRICT 22 (Judiciary I).....	128.
S	141	STATE CONTRACT EXEMPTIONS (Ch. SL 97-0331) (H 164).....	406, 1233, 1319, 1338, 1351, 1384, 1470.

DAVIS, DONALD S.

APPROVAL OF VOTE CHANGE ON		
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	APPROVAL OF VOTE CHANGE ON H.B. 1064	1661.
	APPROVAL OF VOTE CHANGE ON S.B. 627.....	1648.
	BILLS INTRODUCED - 10, 12, 13, 14, 15, 16, 18, 19, 20, 28, 30, 31, *41, *42, *43, *44, *45, *46, *47, *48, *49, *50, 76, 79, 89, 92, 93, 94, 95, *120, 126, 128, 136, 141, 142, 144, 158, 159, 160, 162, 168, 170, 172, 248, 259, 260, 295, 299, 301, 303, 310, 311, 313, 315, 316, 329, 330, 331, 332, 389, 431, 432, 433, 454, 497, 499, *500, 511, 525, 527, 536, 537, *542, *554, 555, 556, 557, 564, 578, 594, *628, *629, 637, 639, 641, 642, 665, 670, 672, *685, 704, 707, 716, 736, 739, 746, 769, 770, *869, 878, 902, 906, 909, 914, 927, 928, 929, 930, 941, 964, 975, 980, 981, 982, 986, *1005, *1006, 1013, 1015, 1019, 1043, 1054, 1064, *1065, *1066, 1067, 1069, 1070, 1074, 1075, 1092, 1101, 1115, 1116, 1120, 1128, 1135, 1154, 1155, 1162, 1177, 1189, 1195, 1220, 1221, 1222.	
	COMMITTEE ASSIGNMENTS - Agriculture; Appropriations; Appropriations, Subcommittee on Education; Commerce; Commerce, Subcommittee on Business and Labor, Chair; Congressional Redistricting; Education; Education, Subcommittee on Preschool, Elementary and Secondary Education; State Government; State Government, Subcommittee on Military, Veterans, and Indian Affairs.	
	ESCORT FOR SPEAKER.....	25.
	EXCUSED ABSENCES.....	1353, 1366, 1376, 1529, 1539.
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	OFFERS PRAYER.....	41, 344, 911, 1157, 1547.
	SECONDS ADJOURNMENT	1516.

DAY CARE

H	896	CHILD WELFARE CHANGES (Ch. SL 97-0390)	484, 593, 669, 720, 722, 745, 769, 1499, 1516, 1524, 1529, 1599.
H	1016	COUNTY SHARE/DAY CARE FRAUD COLLECTIONS (Human Resources) (S 304).....	597.
S	304	COUNTY SHARE/DAY CARE FRAUD COLLECTIONS (Human Resources) (H 1016).....	740.
H	493	CURRENT OPERATIONS APPROPRIATIONS ACT (Appropriations) (S 352).....	242.
S	352	CURRENT OPERATIONS APPROPRIATIONS ACT (Ch. SL 97-0443) (H 493).....	688, 1073, 1080, 1095, 1101, 1124, 1141, 1723, 1725, 1729, 1748.
H	145	DAY CARE/PLAYGROUND EQUIPMENT (Calendar Pursuant Rule 36(a)).....	96, 188, 262.
H	464	ENHANCE CHILD CARE (Human Resources).....	237, 689.
S	929	ENHANCE CHILD CARE (Ch. SL 97-0506)	797, 1600, 1662, 1695, 1714, 1734, 1796.
H	1102	NEIGHBOR CHILD CARE LAW (Human Resources - Families).....	614, 672.

DECKER, MICHAEL P.

APPROVAL OF VOTE CHANGE ON H.B. 302	1524.
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APPROVAL OF VOTE CHANGE ON S.B. 251	1351.
APPROVAL OF VOTE CHANGE ON S.B. 624	1678.
BILLS INTRODUCED - 38, *67, *72, 82, *123, *124, *125, 147, 183, 248, *270, 271, 272, 288, 295, 299, 303, 310, 313, 389, 431, 432, 433, 448, *468, 482, 499, 511, 527, 536, 564, 565, 566, 567, 568, *630, *631, *632, 640, 665, 672, 739, 746, 770, 869, *920, 940, 964, 980, 986, 1010, 1012, 1014, 1065, 1067, 1069, 1081, 1096, *1143, *1148, 1155, 1162, 1167, *1187, *1188, *1189, 1195, 1204, 1235, 1237.	
COMMITTEE ASSIGNMENTS - Appropriations; Appropriations, Subcommittee on General Government; Education; Education, Subcommittee on Preschool, Elementary and Secondary Education; Finance; Judiciary II; Local and Regional Government II, Chair; Ways and Means.	
CONFeree: H.B. 773	1363.
CONFeree: H.B. 1108	1590.
CONFeree: S.B. 676	1622.

DECKER, MICHAEL P.-Contd.

CONFeree: S.B. 711	1715.
ESCORT FOR SPEAKER PRO TEMPORE.....	36.
EXCUSED ABSENCES.....	65, 273, 845.
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SECONDS ADJOURNMENT	199, 1213.

DEDMON, ANDREW T.

BILLS INTRODUCED - 2, 13, 21, 119, 126, 157, 158, 159, 180, 248, 273, 312, 328, 334, 336, 345, 347, 351, 374, 389, 401, 406, 427, 432, 499, 507, 509, 519, 523, 527, 529, 554, 563, 575, 577, 583, 591, 610, 643, 672, 716, 739, 746, 769, 770, 777, 778, 813, 864, 869, 905, 906, 907, 909, 911, 934, 939, 940, 946, 973, 975, 979, 985, 986, 1010, 1014, 1064, 1070, 1072, 1076, 1077, 1088, 1092, 1115, 1128, 1154, 1155, 1162, 1171, *1173, 1182, 1183, 1195, 1202, 1218, 1220, 1221, 1222, 1225.	
COMMITTEE ASSIGNMENTS - Commerce; Commerce, Subcommittee on Financial Institutions; Election Law and Campaign Reform; Finance; Finance, Subcommittee on Local, Regional, and State Revenues; Insurance; Local and Regional Government I.	
OATH.....	18.

DEEDS

S	250	CLARIFY PERFECTION-SECURITY INTEREST (Ch. SL 97-0386)	585, 869, 1490, 1494, 1568.
H	832	COLLECT DELINQUENT PROPERTY TAX (Rules, Calendar & Operations of the House).....	463, 571, 655, 732, 834, 1321.
H	674	PERMANENT CURATIVE STATUTE-SEALS (Judiciary I)	399.
S	875	REVISE RECORDS LAWS (Ch. SL 97-0309)	1072, 1162, 1225, 1263, 1274, 1278, 1320, 1414.
H	418	VARIOUS LOCAL TAX CHANGES (Ch. SL 97-0410)	221, 1400, 1410, 1417, 1434, 1451, 1585, 1609, 1628, 1638, 1655.
H	476	VITAL RECORDS ACCESS (Ch. SL 97-0242)	239, 653, 736, 758, 815, 1179, 1215, 1240, 1243, 1251.

DICKSON, W. W.

BILLS INTRODUCED - *12, 16, 52, *96, *97, 147, 150, 151, 153, 154, 155, 183, 224, 225, 273, 309, *318, 341, 342, *349, *350, 351, 369, 370, 372, 389, 395, *401, 426, 433, 478, 481, 482, 512, 519, 536, 554, 555, 563, 577, 610, *634, 643, 707, 708, *738, *739, *754, 769, 770, 813, 814, 845, 857, 858, 905, 909, 911, 928, 938, 986, *987, 1010, 1019, 1067, 1083, 1115, 1128, *1138, 1152, 1154, 1155, 1162, 1195.

COMMITTEE ASSIGNMENTS - Commerce; Commerce, Subcommittee on Public Utilities; Education; Education, Subcommittee on Universities; Finance, Co-Chair; Insurance; Insurance, Subcommittee on Health; Technology.

CONFEREE: S.B. 38 (Co-Chair) 438.

CONFEREE: S.B. 157 1606.

CONFEREE: S.B. 316 1004.

CONFEREE: S.B. 352 1141.

EXCUSED ABSENCES 932, 946, 1445, 1459.

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H 492 CAPITAL IMPROVEMENTS APPROPRIATIONS
ACT (Appropriations) (S 347) 242.

S 347 CONTINUING BUDGET AUTHORITY
(Ch. SL 97-0401) (H 492) 1593, 1594, 1601, 1604.

H 493 CURRENT OPERATIONS APPROPRIATIONS ACT
(Appropriations) (S 352) 242.

S 352 CURRENT OPERATIONS APPROPRIATIONS ACT
(Ch. SL 97-0443) (H 493) 688, 1073, 1080, 1095,
1101, 1124, 1141, 1723, 1725, 1729, 1748.

H 231 DEPARTMENT OF MOTOR VEHICLES MEDICAL
INFORMATION WAIVER (Ch. SL 97-0464) 117,
425, 479, 489, 1624, 1645, 1654.

H 37 EXPAND HOMESTEAD EXEMPTION
(Finance) 51.

H 482 HANDICAPPED PERSONS SIGNATURE
(Ch. SL 97-0208) 240, 367, 393, 1106, 1199.

H 1143 HANDICAPPED PLATE RECERTIFICATION
(Senate) 623, 727, 759, 840.

H 554 LICENSES FOR DISABLED VETERANS
(Senate) 334, 653, 719.

H 1070 LOCAL OPTION HOMESTEAD RELIEF
(Ways & Means) (S 421) 607.

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S	421	LOCAL OPTION HOMESTEAD RELIEF (Ways & Means) (H 1070).....	708.
S	172	NO SAFETY COURSE/DISABLED HUNTERS (Ch. SL 97-0365)	392, 558, 869, 943, 1468, 1549.
H	90	OBSOLETE SCHOOL LAWS (Education) (S 70)	70.
S	70	OBSOLETE SCHOOL LAWS (Ch. SL 97-0018) (H 90).....	172, 228, 364, 409, 540.
S	33	REVENUE LAWS TECHNICAL CHANGES (Ch. SL 97-0006)	164, 188, 225, 246, 253, 345.
H	1156	SPECIAL LICENSE PLATES (Ch. SL 97-0484)	674, 937, 951, 983, 1003, 1019, 1699, 1709, 1710, 1715, 1728, 1733, 1753, 1772, 1798.

DISCRIMINATION

H	1085	AMEND ETHNIC INTIMIDATION LAW (Judiciary I)	611.
H	981	CIVIL RIGHTS RESTORATION ACT (Judiciary I)	581.
S	924	CRIMINAL RECORD CHECKS/DEPARTMENT OF HUMAN RESOURCES (Ch. SL 97-0260).....	852, 1100, 1182, 1194, 1227, 1299.
H	350	GENETIC INFORMATION/NO DISCRIMINATION (Insurance) (S 254)	170.
S	254	GENETIC INFORMATION/NO DISCRIMINATION (Ch. SL 97-0350) (H 350)	529, 961, 1225, 1314, 1370, 1426, 1506.
H	1130	PROTECT HEALTH CARE WHISTLE BLOWERS (Human Resources)	621.
S	725	STATE EMPLOYEE INCENTIVE BONUS (Ch. SL 97-0513)	803, 1641, 1668, 1685, 1698, 1723, 1731, 1759, 1796.

DIVORCE AND ALIMONY (G.S. 50)

H	1066	AMEND DIVORCE LAW (Judiciary II)	606.
H	301	CHILD SUPPORT/FEDERAL REQUIREMENTS (Ch. SL 97-0433)	143, 701, 949, 1165, 1183, 1585, 1612, 1629, 1638.
H	560	DIVORCE EDUCATION (Approp - Justice & Public Safety)	336, 408, 421, 524, 634.

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H	533	EQUITABLE DISTRIBUTION/DIVISIBLE PROPERTY (Ch. SL 97-0302).....	311, 508, 566, 568, 1210, 1285, 1307, 1311, 1398.
H	535	EQUITABLE DISTRIBUTION/RETIREMENT RIGHTS (Ch. SL 97-0212).....	311, 508, 567, 1149, 1200.
H	82	GRANDPARENT VISITATION (Rules, Calendar & Operations of the House).....	67.
H	415	GRANDPARENTS' CHILD SUPPORT (Senate) (S 744)	220, 699, 836, 1778.
S	744	GRANDPARENTS' CHILD SUPPORT (Rules, Calendar & Operations of the House) (H 415).....	803, 1721, 1778.
H	907	MEDIATED SETTLEMENT/FAMILY ISSUES (Ch. SL 97-0229)	514, 633, 723, 743, 1139, 1153, 1159, 1249.
H	534	SUPPORT ORDERS ENFORCEMENT (Senate)	311, 643, 718.
H	480	WOMENWORK FUND (Approp - General Government) (S 475).....	240, 663, 1201, 1349, 1364, 1374.
S	475	WOMENWORK FUND (Appropriations) (H 480)	1237, 1296, 1558.

DOCKHAM, JERRY C.

APPROVAL OF VOTE CHANGE ON H.B. 277	1115.
APPROVAL OF VOTE CHANGE ON H.B. 843	1421.
BILLS INTRODUCED - 3, 19, 20, 22, 82, 86, 87, 88, 89, 131, 139, 157, 170, 172, 183, *236, 248, 259, 344, 351, 361, *371, 389, 432, *434, *435, *436, *455, *456, *485, 527, 536, 538, 539, *541, 640, 665, 688, 739, 768, 769, 814, 824, *846, 905, 906, 926, 928, 951, 964, 983, 1067, 1108, 1109, 1110, 1111, 1155, 1195, 1243.	
COMMITTEE ASSIGNMENTS - Appropriations; Appropriations, Subcommittee on Capital and Budget; Appropriations, Subcommittee on Transportation, Co-Chair; Commerce; Commerce, Subcommittee on Financial Institutions; Education; Education, Subcommittee on Community Colleges; Insurance, Chair; Local and Regional Government II; Rules, Calendar, and Operations of the House; UNC Board of Governors.	
CONFeree: S.B. 352	1141.
CONFeree: S.B. 993	1288.
EXCUSED ABSENCES.....	185, 911, 1006, 1068, 1340, 1617.
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DOMESTIC VIOLENCE (G.S. 50B)

H	929	DOMESTIC VIOLENCE CHANGES (Senate)	525, 574, 660, 687, 719.
S	627	DOMESTIC VIOLENCE CHANGES (Ch. SL 97-0471)	709, 1497, 1647, 1669.

DRUGS - see SUBSTANCE ABUSE**DUPLIN COUNTY**

H	799	DUPLIN LOCAL ACT (Rules, Calendar & Operations of the House).....	451.
H	800	DUPLIN LOCAL ACT (Rules, Calendar & Operations of the House).....	451.
H	801	DUPLIN LOCAL ACT (Rules, Calendar & Operations of the House).....	451.
H	797	WALLACE CHARTER (Ways & Means)	450.
H	798	WALLACE MAYOR (Senate) (S 648)	450, 578, 628.
S	648	WALLACE MAYOR (Ch. SL 97-0321) (H 798).....	637, 925, 1401, 1436, 1446, 1460.

DURHAM COUNTY

H	881	DURHAM BOARD OF ADJUSTMENT (Ch. SL 97-0166)	472, 650, 682, 1107, 1121.
H	879	DURHAM BOARD OF ADJUSTMENT VOTES (Ch. SL 97-0165)	472, 834, 1107, 1121.
H	792	DURHAM CHARTER (Ch. SL 97-0065)	449, 649, 832, 958, 969.
S	682	DURHAM CHARTER (Finance)	741, 1507, 1538.
S	683	DURHAM CITY MANAGER/ALAMANCE (Ch. SL 97-0445)	766, 1635, 1666, 1684, 1698, 1734, 1757, 1793, 1798.
S	739	DURHAM CITY ZONING PROTESTS (Ways & Means)	741.
H	874	DURHAM COUNTY FAIR HOUSING (Ways & Means)	471.
H	791	DURHAM SCHOOL CONVEYANCE (Ch. SL 97-0064)	449, 649, 715, 958, 969.
S	684	DURHAM/CITY DEVELOPMENT REVIEW BOARD (Conference Committee).....	766, 1507, 1613, 1635, 1637.

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H	376	HONOR EARLY SUPPORTERS OF DURHAM PUBLIC LIBRARY (Senate)	181, 317, 321, 436.
H	786	LOCAL CHARTERS AMENDED (Ch. SL 97-0452)	448, 571, 589, 1541, 1751, 1774, 1799.
H	1231	LOCAL TRANSIT REVENUE OPTIONS (Ch. SL 97-0417)	962, 1201, 1324, 1377, 1455, 1465, 1546, 1554, 1573, 1579, 1585, 1595, 1602, 1688.
S	474	MUNICIPALITIES' TREE ORDINANCE (Ways & Means)	788.
H	294	PARKWOOD ANNEXATION REFERENDA (Finance)	142, 542.
H	293	PARKWOOD ANNEXATIONS (Finance)	142, 541.

DWI (Driving While Impaired)

H	584	ATTEMPTING TO ELUDE ARREST (Senate)	348, 365, 661, 687, 717, 722.
H	493	CURRENT OPERATIONS APPROPRIATIONS ACT (Appropriations) (S 352)	242.
S	352	CURRENT OPERATIONS APPROPRIATIONS ACT (Ch. SL 97-0443) (H 493)	688, 1073, 1080, 1095, 1101, 1124, 1141, 1723, 1725, 1729, 1748.
H	678	DRIVING WHILE IMPAIRED BUMPER STICKERS (Transportation)	399.
H	183	DRIVING WHILE IMPAIRED/FELONY PRIOR RECORD LEVEL (Ch. SL 97-0486)	106, 304, 410, 482, 632, 659, 1553, 1582, 1612, 1620, 1664, 1675, 1706, 1719.
H	448	GOVERNOR'S DRIVING WHILE IMPAIRED INITIATIVE (Ch. SL 97-0379)	233, 643, 718, 1139, 1153, 1488, 1500, 1502, 1505, 1551.
H	507	MANDATORY JAIL FOR SOME DRIVING WHILE IMPAIRED (Senate)	267, 669, 836.

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BILLS INTRODUCED - 32, 33, 80, 81, 83, *108, *109, *110, 143, *171, 223, 230, 248, 309, 341, 342, 343, 345, 358, 372, 374, 395, 405, 406, 465, 478, 479, 480, 481, 519, 527, 550, 551, 552, 555,
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560, 561, 562, 563, *564, 575, 591, 596, 598, 612, 639, 665, 667, 708, 709, 711, *712, 716, 748, 766, 813, 883, 905, 906, 909, 911, 913, 918, 929, 943, 964, 975, 978, 979, 1014, *1016, 1058, 1069, 1070, 1077, 1085, 1108, 1111, 1115, 1116, 1154, 1155, 1162, 1168, 1169, 1172, 1173, 1177, 1180, *1186, 1195, 1210, 1218, 1220, 1221, 1222, 1223, 1224, 1230, 1231.

COMMITTEE ASSIGNMENTS - Appropriations; Appropriations, Subcommittee on Capital and Budget; Human Resources; Human Resources, Subcommittee on Aging, Ranking Minority Member; Technology, Ranking Minority Member; Transportation; Welfare Reform.

OATH..... 18.

SECONDS ADJOURNMENT 394, 1226, 1365.

EASTERLING, RUTH M.

BILLS INTRODUCED - 2, 5, 95, 107, 108, 109, 110, 126, 127, 143, *150, *151, *152, *153, *154, *155, *156, 157, 230, *234, *235, 248, 271, 272, 289, 308, 309, 312, 341, 342, 343, 344, 345, 351, 358, 372, 399, 405, 454, *490, *491, 512, 519, 527, 554, 555, 556, 557, 560, 561, 562, 563, 564, 587, 591, 596, 612, 667, 708, 709, 711, 712, 739, 813, 857, 858, 864, 871, 906, 907, 908, 909, 911, 913, 914, 939, 941, *943, 964, 985, 986, 1014, 1016, 1058, 1064, 1084, 1085, 1111, 1115, 1116, 1154, 1155, 1162, 1186, 1189, 1195, 1223, 1224, 1230, 1231.

COMMITTEE ASSIGNMENTS - Appropriations; Appropriations, Subcommittee on Capital and Budget; Commerce; Commerce, Subcommittee on Business and Labor; Ethics; Human Resources; Human Resources, Subcommittee on Families, Ranking Minority Member; Public Employees.

EXCUSED ABSENCES..... 294, 1158, 1168, 1196, 1209, 1247, 1267, 1280, 1298, 1340, 1459.

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ECONOMIC DEVELOPMENT

H 368 AMEND BILL LEE ACT

(Finance) (Included Ch. SL 97-0443)

(S 316)..... 179, 318.

ECONOMIC DEVELOPMENT-Contd.

S	316	AMEND BILL LEE ACT (Ch. SL 97-0277) (Included Ch. SL 97-0443) (H 368)..... 485, 645, 876, 892, 907, 910, 917, 928, 998, 1004, 1217, 1237, 1255, 1268, 1270, 1355.
H	493	CURRENT OPERATIONS APPROPRIATIONS ACT (Appropriations) (S 352)..... 242.
S	352	CURRENT OPERATIONS APPROPRIATIONS ACT (Ch. SL 97-0443) (H 493)..... 688, 1073, 1080, 1095, 1101, 1124, 1141, 1723, 1725, 1729, 1748.
H	48	DOWNTOWN DATABASE (Commerce) (S 819)..... 53, 157.
S	819	DOWNTOWN DATABASE (Commerce) (H 48)..... 851.
H	474	INDUSTRIAL REVENUE BONDS (Ch. SL 97-0111) 238, 424, 503, 1007, 1070.
S	987	INTERSTATE ECONOMIC DEVELOPMENT PERMITS (Commerce)..... 768.
H	651	INTERSTATE ECONOMIC DEVELOPMENT ZONE (Ch. SL 97-0395) 389, 704, 779, 1271, 1491, 1496, 1513, 1518, 1603.
H	970	MORATORIUM ON INTERNET TAX (Finance) (Included Ch. SL 97-0483) 561, 948.
H	530	PROFESSIONAL CORPORATION ACT AMENDMENT (Ch. SL 97- 0244)..... 310, 692, 836, 1163, 1171, 1176, 1251.
H	859	ROOM TAX CHANGES (Ch. SL 97-0364) 468, 1302, 1315, 1344, 1389, 1405, 1499, 1513, 1523, 1530, 1549.
S	418	SMALL BUSINESS PROCUREMENT ACT (Commerce) 476.
S	811	SOUTHEASTERN REGIONAL COMMISSION STAFF (Ch. SL 97-0155) 767, 996, 1057, 1059, 1110.
H	1027	STATE TREASURER VENTURE CAPITAL (Senate) 599, 949, 1111, 1223, 1260.
S	844	STRENGTHEN OPEN GOVERNMENT (Ch. SL 97-0290) 852, 1151, 1241, 1283, 1356.
H	987	VENTURE CAPITAL INVESTMENT INCENTIVE (Finance) 582, 665.

EDDINS, RICKY L.

BILLS INTRODUCED - 10, 12, 66, 76, 147, 148, 149, 180, 248, 259, *266, 295, 303, 310, *336, *348, 349, 351, 361, 389, 511, 518, 519, 525, 527, 536, 554, *665, 672, 707, 739, 746, 747, 769, 770, 824, 869, 909, 926, 927, 928, 930, 934, 964, 973, 975, 980, 981, 986, 1005, 1010, 1011, 1012, 1069, 1074, 1075, 1092, 1096, 1097, *1114, 1128, 1152, 1155, 1162, 1163, 1173, 1177, 1188, 1189, 1195.

COMMITTEE ASSIGNMENTS - Agriculture; Education; Education, Subcommittee on Community Colleges; Environment, Co-Chair; Finance; Finance, Subcommittee on Local, Regional, and State Revenues; Technology; Transportation.

CONFEREE: H.B. 227 1223.

EXCUSED ABSENCES..... 1158, 1168, 1486, 1548, 1560.

OATH..... 18.

EDGEcombe COUNTY

S 535 COUNTY/CONSENT BEFORE ACQUISITION
(Ch. SL 97-0263) 765, 1062, 1082,
1122, 1195, 1207, 1214, 1312.

H 809 EDGEcombe SCHOOL SUPPLEMENTAL TAX
(Ways & Means) 459.

H 495 NATURAL GAS
(Ch. SL 97-0426) 252, 426, 641, 920, 979, 1021,
1050, 1521, 1532, 1542, 1548, 1689.

H 676 ROCKY MOUNT HOUSING CODE
(Senate) 399, 496, 534.

H 675 ROCKY MOUNT HOUSING CODE PROCESS
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S 2 SHORTER ELECTION YEAR
(Rules, Calendar & Operations of the House)..... 275.

S 64 TARBORO CHARTER AMENDMENT
(Ch. SL 97-0096) (H 280)..... 153, 992,
1017, 1025, 1042.

H 280 TARBORO CHARTER AMENDMENTS
(Senate) (S 64) 132, 159, 174.

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also see COMMUNITY COLLEGES; HIGHER EDUCATION

H 83 1997 EDUCATION LOTTERY
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H 115 1997 TECHNICAL CORRECTIONS
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1791, 1802, 1803, 1805, 1816.

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S	765	ADEQUATE FUNDING/ALTERNATIVE SCHOOLS (Ch. SL 97-0239)	804, 1011, 1128, 1158, 1251.
H	1218	ADULT-STUDENT RATIO REDUCTIONS (Appropriations)	848.
S	1054	ALLOW BURMA DIVESTITURE (Commerce)	798, 896.
H	379	AMEND CHARTER SCHOOLS LAWS (Judiciary II) (S 297)	181, 667.
S	297	AMEND CHARTER SCHOOLS LAWS (Ch. SL 97-0430) (H 379)	821, 1135, 1235, 1293, 1294, 1308, 1457, 1462, 1500, 1541, 1554, 1566, 1573, 1690.
S	442	AMERICAN HISTORY ACT (Ch. SL 97-0422)	799, 1136, 1185, 1194, 1195, 1240, 1286, 1552, 1561, 1574, 1581, 1689.
H	458	CHARTER SCHOOL AMENDMENTS (Rules, Calendar & Operations of the House)	235, 668, 734, 844.
H	493	CURRENT OPERATIONS APPROPRIATIONS ACT (Appropriations) (S 352)	242.
S	352	CURRENT OPERATIONS APPROPRIATIONS ACT (Ch. SL 97-0443) (H 493)	688, 1073, 1080, 1095, 1101, 1124, 1141, 1723, 1725, 1729, 1748.
H	1029	DENTAL EXAMINATION PILOT PROGRAM (Rules, Calendar & Operations of the House)	599, 671, 721, 722, 747.
S	799	DISCIPLINE DISCLOSURE ACT (Public Employees)	851.
H	769	DROPOUT PREVENTION/DRIVERS LICENSE (Ch. SL 97-0507)	446, 592, 886, 938, 981, 1055, 1066, 1715, 1724, 1749.
S	5	EDUCATION GOVERNANCE CHANGES (Failed 2nd Reading)	798, 1161, 1224, 1239, 1240.
H	978	EMPLOYEE PAY/EXCUSED SNOW DAYS (Education)	580.
H	1117	ENHANCE AMERICAN ENGLISH (Rules, Calendar & Operations of the House)	618.
H	464	ENHANCE CHILD CARE (Human Resources)	237, 689.
S	929	ENHANCE CHILD CARE (Ch. SL 97-0506)	797, 1600, 1662, 1695, 1714, 1734, 1796.

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H	511	EVOLUTION NOT TAUGHT AS FACT (Senate)	273, 729, 794.
H	351	EXCELLENT SCHOOLS ACT (Calendar Pursuant Rule 36(a)) (S 272).....	170, 577, 671, 699.
S	272	EXCELLENT SCHOOLS ACT (Ch. SL 97-0221) (H 351).....	393, 625, 689, 768, 896, 927, 1175, 1181, 1185, 1188, 1190, 1215.
H	448	GOVERNOR'S DRIVING WHILE IMPAIRED INITIATIVE (Ch. SL 97-0379)	233, 643, 718, 1139, 1153, 1488, 1500, 1502, 1505, 1551.
S	1011	INITIAL ENTRY INTO KINDERGARTEN (Ch. SL 97-0204)	768, 1011, 1086, 1106, 1199.
H	89	JUVENILE PROBATION/SCHOOL NOTIFICATION (Senate)	69, 228, 259, 260, 261.
H	1099	KINDERGARTEN ENTRY/GIFTED STUDENTS (Ch. SL 97-0269)	614, 692, 726, 746, 1180, 1193, 1197, 1313.
S	616	LIMIT APPEALS TO SCHOOL BOARDS (Education).....	803, 1010, 1128, 1144, 1147.
H	76	LOCAL TEACHING PERMITS (Education).....	66.
H	1199	MONETARY INCENTIVE/ACADEMIC EXCELLENCE (Appropriations)	792, 994.
H	233	NO FIREARMS DISCHARGED NEAR SCHOOLS (Ch. SL 97-0128)	117, 652, 715, 1069, 1079.
S	19	NO SOCIAL PROMOTIONS PERMITTED (Rules, Calendar & Operations of the House).....	765, 1357, 1538.
H	90	OBSOLETE SCHOOL LAWS (Education) (S 70).....	70.
S	70	OBSOLETE SCHOOL LAWS (Ch. SL 97-0018) (H 90).....	172, 228, 364, 409, 540.
H	977	PARENTS ON SCHOOL IMPROVEMENT TEAMS (Ch. SL 97-0159)	580, 668, 724, 1027, 1049, 1059, 1110.
H	308	REPEAL SUNSET ON FICA SAVING USE (Approp - Education) (Included Ch. SL 97-0443)	144, 201, 872.
S	366	REVISE SCHOOL/COUNTY MEDIATION (Ch. SL 97-0222)	586, 994, 1145, 1176, 1227.

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- H 1019 RIGOROUS ACADEMIC CONTENT STANDARDS
(Approp - Education) 598, 735, 938.
- H 1154 SAFE SCHOOL PLANS/ACCOUNTABILITY
(Appropriations)..... 673, 935.
- H 86 SALES TAX REFUND FOR SCHOOLS
(Education)..... 68.
- H 78 SCHOOL ADMINISTRATOR STANDARDS
EXEMPTION (Ch. SL 97-0020) 67, 186,
258, 409, 540.
- H 989 SCHOOL ADMINISTRATOR'S EXAM FEE
(Rules, Calendar & Operations of the House)..... 583,
651, 914, 931, 1220.
- S 826 SCHOOL BOARD AND LOCAL CHANGES
(State Government) (H 483)..... 801, 1461, 1559,
1570, 1590, 1631, 1641, 1693, 1711.
- H 64 SCHOOL BOARD LEASES OF SCHOOL
BUILDINGS (Education) (S 71)..... 58.
- S 71 SCHOOL BOARD LEASES OF SCHOOL
BUILDINGS (Ch. SL 97-0236) (H 64) 172, 186,
490, 503, 1073, 1146, 1168, 1250.
- H 483 SCHOOL BOARD "QUICK TAKE"
(Finance) (S 826) 240, 668, 804, 844.
- H 509 SCHOOL BOND INTEREST USE
(Approp - Capital & Budget) 273, 873, 900.
- H 256 SCHOOL BUDGET ACCOUNTABILITY
(Approp - Education) 122, 295, 872.
- H 969 SCHOOL INTER-UNIT ENROLLMENT
(Education)..... 561.
- H 512 SCHOOL SAFETY ACT
(Approp - Education) 274, 345, 873.
- H 11 SCHOOL SNOW-DAY FLEXIBILITY
(Senate) 44, 125, 140, 146.
- H 1225 SCHOOL TRANSPORTATION
(Education - Pre-School, Elementary &
Secondary Education) 850,
876, 934, 953.
- H 1098 SPECIAL EDUCATION MEDIATION
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S	361	EXPAND INFORMATION HIGHWAY USES (Technology)	822.
H	640	FAIL COMMUNITY SERVICE/REVOKE LICENSE (Judiciary II)	387.
S	393	FAIL COMMUNITY SERVICE/REVOKE LICENSE (Ch. SL 97-0234)	476, 1080, 1130, 1144, 1169, 1250.
H	375	FISHERIES REFORM ACT (Environment)	181.
H	1097	FISHERIES REFORM ACT (Ch. SL 97-0400) ...	613, 662, 948, 1044, 1083, 1117, 1126, 1565, 1576, 1588, 1591, 1604.
H	972	HALIWA NAME CHANGE (Senate) (S 1074)	562, 654, 719.
S	1074	HALIWA NAME CHANGE (Ch. SL 97-0293) (H 972)	742, 1231, 1265, 1268, 1356.

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H 478	HEALTH TO DEPARTMENT OF HUMAN RESOURCES/DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES NAME CHANGE (Human Resources) (S 383).....	239.
S 383	HEALTH TO DEPARTMENT OF HUMAN RESOURCES/DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES NAME CHANGE (Human Resources) (H 478).....	546.
H 1034	INFORMATION RESOURCE MANAGEMENT COMMISSION RESTRUCTURING (Rules, Calendar & Operations of the House) (Included Ch. SL 97-0483)	600.
H 428	NORTH CAROLINA MUSEUM OF HISTORY TECHNICAL CHANGES (State Government) (S 327)	230.
S 327	NORTH CAROLINA MUSEUM OF HISTORY TECHNICAL CHANGES (Ch. SL 97-0411) (H 428).....	326, 1234, 1557, 1560, 1673.
H 1046	NORTH CAROLINA PARTNERSHIP AUDIT PROCESS (Senate).....	602, 641, 660.
S 320	NURSES' TRAINING (Ch. SL 97-0375)	586, 1080, 1146, 1177, 1292, 1295, 1325, 1373, 1444, 1486, 1550.
H 90	OBSOLETE SCHOOL LAWS (Education) (S 70)	70.
S 70	OBSOLETE SCHOOL LAWS (Ch. SL 97-0018) (H 90).....	172, 228, 364, 409, 540.
H 160	PORT USER ON PORTS BOARD (Senate) (S 142)	99, 439, 480, 489.
S 142	PORT USER ON PORTS BOARD (Ch. SL 97-0235) (H 160).....	182, 1061, 1145, 1168, 1250.
H 988	RESTORE PERSON INDIAN RECOGNITION (Ch. SL 97-0147)	582, 695, 817, 1007, 1109.
H 473	SALE OF NATURAL SCIENCE MUSEUM OBJECTS (State Government) (S 545)	238.
S 545	SALE OF NATURAL SCIENCE MUSEUM OBJECTS (Appropriations) (H 473)	624, 1234, 1352.

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H	999	SOIL AND WATER COMMISSION/INSPECTIONS (Ch. SL 97-0173)	584, 654, 773, 841, 1071, 1081, 1089, 1160.
H	1137	SOIL AND WATER CONSERVATION PLATES (Ch. SL 97-0477)	622, 734, 951, 983, 1002, 1018, 1681, 1693, 1703.
S	141	STATE CONTRACT EXEMPTIONS (Ch. SL 97-0331) (H 164).....	406, 1233, 1319, 1338, 1351, 1384, 1470.
H	129	TRANSFER DEPARTMENT OF MOTOR VEHICLES TO CRIME CONTROL AND PUBLIC SAFETY (Rules, Calendar & Operations of the House).....	92.
H	133	TRANSFER MARINE FISHERIES (Environment)	93.
H	128	TRANSFER STATE CAPITOL POLICE TO CRIME CONTROL AND PUBLIC SAFETY (State Government)	92.
S	869	TRANSFER TECHNOLOGY FUNCTIONS (Ch. SL 97-0148)	823, 996, 1076, 1078, 1109.
S	1015	WELFARE REFORM ACT OF 1997 (Appropriations).....	853, 1037.
H	251	WELL CONTRACTORS CERTIFICATION (Ch. SL 97-0358)	121, 987, 1111, 1143, 1155, 1459, 1518.
H	480	WOMENWORK FUND (Approp - General Government) (S 475).....	240, 663, 1201, 1349, 1364, 1374.
S	475	WOMENWORK FUND (Appropriations) (H 480)	1237, 1296, 1558.

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H	363	CHILD SUPPORT OPTIONS/FEEs (Ch. SL 97-0223)	178, 346, 380, 419, 435, 1209, 1228.
H	301	CHILD SUPPORT/FEDERAL REQUIREMENTS (Ch. SL 97-0433)	143, 701, 949, 1165, 1183, 1585, 1612, 1629, 1638.

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- H 115 1997 TECHNICAL CORRECTIONS
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- H 460 ABOLISH AQUARIUMS COMMISSION
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- H 219 ADMINISTRATIVE DISSOLUTION/ANNUAL
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- S 816 ALLIGATOR/YELLOW PERCH PRODUCTION
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- H 457 AMEND FOREST DEVELOPMENT ACT
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- S 124 AMEND WHITE GOODS TAX
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- H 1055 ARBITRATION OF SEED CLAIMS
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- H 1219 ASSISTED LIVING ADMINISTRATORS
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- S 1073 AUCTIONEER AMENDMENTS
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- H 1166 AUCTIONEER EDUCATION REQUIREMENTS
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- H 79 BALLOT ACCESS CHANGES
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- S 573 BALLOT ACCESS CHANGES
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- H 400 BANK ASSESSMENTS
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- S 942 BARBERS
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- H 1108 BREW ON PREMISES PERMITS
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H	363	CHILD SUPPORT OPTIONS/FEES (Ch. SL 97-0223)	178, 346, 380, 419, 435, 1209, 1228.
S	570	CLEAN WATER LICENSE PLATE (Finance)	1013, 1189.
S	132	CLERKS/YEAR'S ALLOWANCE (Ch. SL 97-0310)	675, 869, 1217, 1276, 1290, 1328, 1414.
H	200	CORPORATE AMENDMENTS (Judiciary II) (S 157)	110.
S	157	CORPORATE AMENDMENTS (Ch. SL 97-0485) (H 200)	528, 934, 1044, 1148, 1300, 1534, 1542, 1596, 1606, 1657, 1676, 1681, 1690, 1702.
S	916	COSMETOLOGISTS (Rules, Calendar & Operations of the House)....	1027.
H	742	COURT IMPROVEMENT ACT (Judiciary I)	417, 538.
H	665	CRIME VICTIMS' RIGHTS ACT (Approp - Justice & Public Safety) (Included Ch. SL 97-0483)	392, 1215, 1345, 1374, 1428, 1509.
H	493	CURRENT OPERATIONS APPROPRIATIONS ACT (Appropriations) (S 352)	242.
S	352	CURRENT OPERATIONS APPROPRIATIONS ACT (Ch. SL 97-0443) (H 493)	688, 1073, 1080, 1095, 1101, 1124, 1141, 1723, 1725, 1729, 1748.
H	1229	DARKER VEHICLE WINDOW FOR LUPUS (Appropriations)	951, 1094, 1217.
H	502	DEFINITION OF MOTOR VEHICLE DEALER (Failed 2nd Reading)	266, 696, 785, 792, 831, 950, 1332, 1373, 1422, 1551, 1590, 1630.
H	1061	DISABLED SPORTSMAN LICENSES (Ch. SL 97-0326)	605, 762, 1060, 1084, 1117, 1334, 1348, 1354.
S	861	DISPENSING OPTICIANS (Ch. SL 97-0424)	962, 1131, 1377, 1556, 1563, 1567, 1689.

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H	678	DRIVING WHILE IMPAIRED BUMPER STICKERS (Transportation)	399.
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H	225	DRY-CLEANING SOLVENT CLEANUP ACT (Ch. SL 97-0392)	115, 995, 1315, 1324, 1336, 1510, 1524, 1529, 1603.
H	1040	ENVIRONMENTAL MANAGEMENT PROFESSIONALS (Rules, Calendar & Operations of the House).....	602.
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H	990	EXEMPT CERTAIN NONPROFIT UTILITIES (Ch. SL 97-0437)	583, 690, 721, 745, 1499, 1569, 1589, 1611, 1618.
H	375	FISHERIES REFORM ACT (Environment)	181.
H	1097	FISHERIES REFORM ACT (Ch. SL 97-0400)	613, 662, 948, 1044, 1083, 1117, 1126, 1565, 1576, 1588, 1591, 1604.
H	518	FIVE-YEAR LICENSE PLATES (Finance)	297, 1072.
H	204	FORECLOSURE FILING FEES (Ch. SL 97-0114) (Included Ch. SL 97-0443)	111, 130, 308, 362, 376, 957, 1070.
H	577	FORESTER REGISTRATION (Senate)	339, 1233, 1330, 1371, 1391.
H	485	FUNERAL ESTABLISHMENTS (Ch. SL 97-0399)	241, 524, 644, 716, 744, 1540, 1604.
H	448	GOVERNOR'S DRIVING WHILE IMPAIRED INITIATIVE (Ch. SL 97-0379)	233, 643, 718, 1139, 1153, 1488, 1500, 1502, 1505, 1551.
H	248	GRADUATED DRIVERS LICENSES (Ch. SL 97-0016)	121, 130, 169, 224, 246, 417, 432, 453, 457, 508.
S	441	HANDGUN FEE REALLOCATION (Ch. SL 97-0470)	1101, 1416, 1450, 1453, 1583, 1615, 1648, 1669.
S	886	HIRE AMONG MOST QUALIFIED (Ch. SL 97-0520) (H 1096)	1561, 1722, 1743, 1796.

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H	228	INACTIVE HAZARDOUS SITES INFORMATION (Environment) (S 151)	116.
S	151	INACTIVE HAZARDOUS SITES INFORMATION (Ch. SL 97-0053) (H 228)....	475, 495, 881, 894, 958.
S	562	INCREASE FEES FOR RETURNED CHECKS (Ch. SL 97-0334)	636, 1331, 1370, 1384, 1470.
S	168	INCREASE NURSES FEES (Ch. SL 97-0384)	563, 1309, 1415, 1462, 1477, 1494, 1568.
H	933	INCREASE PHARMACY FEES (Ch. SL 97-0231)	526, 870, 894, 908, 1139, 1154, 1159, 1249.
H	488	INCREASE RABIES TAG FEE (Ch. SL 97-0069)	241, 333, 353, 361, 923, 1008.
S	727	INSURANCE REGULATORY CHARGE (Ch. SL 97-0475) (Included Ch. SL 97-0443)	625, 1012, 1038, 1052, 1054, 1064, 1598, 1606, 1616, 1625, 1642, 1707, 1714.
S	612	INSURER FINANCIAL OPERATIONS (Rules, Calendar & Operations of the House).....	624.
S	516	LEAD-BASED PAINT MANAGEMENT (Ch. SL 97-0523)	1140, 1579, 1619, 1666, 1693, 1695, 1748.
H	824	LICENSE ATHLETIC TRAINERS (Rules, Calendar & Operations of the House) (S 660).....	462.
S	660	LICENSE ATHLETIC TRAINERS (Ch. SL 97-0387) (H 824)....	1027, 1229, 1357, 1454, 1464, 1488, 1500, 1511, 1520, 1523, 1599.
S	649	LOBBYIST PENALTY (Finance)	1013, 1749.
S	452	LOCAL REGULATION ADULT ENTERTAINMENT (Finance)	563, 934, 1131.
H	1077	MASSAGE AND BODYWORK THERAPIES (Finance)	609, 1569.
H	907	MEDIATED SETTLEMENT/FAMILY ISSUES (Ch. SL 97-0229)	514, 633, 723, 743, 1139, 1153, 1159, 1249.
S	894	MOTOR VEHICLE FEES FROM DEALERS (Ch. SL 97-0327)	823, 1189, 1325, 1354, 1470.
H	1082	NATIVE AMERICAN SPECIAL PLATES (Senate)	610, 937, 951, 982, 1001, 1018.

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H	208	NO FEE FOR MAIL-IN REGISTRATION (Postponed Indefinitely).....	111, 494.
H	580	NONRESIDENT HANDGUN PERMIT (Finance)	347, 696.
H	367	NORTHEAST COUNTIES INSPECTION LIENS (Senate)	179, 319, 367, 393.
H	305	PEANUT/STRAWBERRY ASSESSMENT (Ch. SL 97-0371)	144, 749, 899, 930, 942, 1448, 1462, 1469, 1550.
H	469	PERMIT FEES (Ch. SL 97-0479)	237, 542, 1415, 1501, 1514, 1525, 1687.
H	948	PHARMACY REHABILITATION PROGRAM (Ch. SL 97-0177)	544, 736, 839, 1068, 1160.
S	266	PRODUCTION AND SALE OF RED DEER (Ch. SL 97-0142)	563, 887, 936, 964, 972, 1025, 1108.
H	916	PROHIBIT AUTOMATED TELLER MACHINE SURCHARGE (Commerce)	516.
H	431	PUBLIC ASSISTANCE FRAUD (Ch. SL 97-0497)	231, 356, 424, 502, 520, 551, 554, 695, 745, 748, 769, 1605, 1629, 1646, 1650, 1717, 1737, 1752, 1768, 1797.
H	1042	PUBLICATION OF APPELLATE DECISIONS (Judiciary I)	602.
H	55	PURPLE HEART/SILVER STAR PLATES (Senate)	55, 294, 396, 523, 553.
H	927	RABIES VACCINE/DOG OWNER ADMINISTER (Judiciary I)	525.
S	425	REFRIGERATION CONTRACTORS (Finance)	547, 1346.
H	1100	REGISTER OF DEEDS' MATTERS (Finance)	614, 699.
S	312	REGULATE CHECK CASHING (Ch. SL 97-0391)	546, 1048, 1090, 1232, 1416, 1526, 1534, 1539, 1603.
H	1194	RENTAL CAR USER SURCHARGE (Finance)	791.
H	1094	REPEAL/RECODIFY RAILROAD LAWS (Senate)	613, 734, 1093, 1147, 1156.
H	989	SCHOOL ADMINISTRATOR'S EXAM FEE (Rules, Calendar & Operations of the House).....	583, 651, 914, 931, 1220.

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H	242	SCRAP TIRE DISPOSAL TAX AMENDMENT (Finance) (S 153)	119, 370, 394.
S	153	SCRAP TIRE TAX CHANGES (Ch. SL 97-0209) (H 242)	528, 970, 1020, 1050, 1074, 1120, 1200.
H	466	SECURITIES/INVESTMENT ADVISERS (Judiciary II) (S 439)	237, 1005, 1043, 1093.
S	439	SECURITIES/INVESTMENT ADVISERS (Ch. SL 97-0419) (H 466)	1079, 1447, 1530, 1564, 1578, 1637, 1688.
H	1084	SELF-SERVE STORAGE LATE FEES (Finance)	611, 1046.
S	812	SMOKY MOUNTAINS SPECIAL PLATE (Ch. SL 97-0427)	998, 1189, 1531, 1565, 1578, 1581, 1689.
H	1137	SOIL AND WATER CONSERVATION PLATES (Ch. SL 97-0477)	622, 734, 951, 983, 1002, 1018, 1681, 1693, 1703.
H	1156	SPECIAL LICENSE PLATES (Ch. SL 97-0484)	674, 937, 951, 983, 1003, 1019, 1699, 1709, 1710, 1715, 1728, 1733, 1753, 1772, 1798.
H	752	STOLEN LICENSES (Senate)	429, 663, 1252, 1357, 1422.
H	467	TAX ON BANK FEE RECEIPTS (Commerce)	237.
H	1028	TOWING PROCEDURES (Judiciary II)	599.
H	1096	TRUCKING ADJUSTMENT ACT OF 1997 (Ch. SL 97-0466) (S 886)	613, 1400, 1508, 1536, 1537, 1545, 1556, 1623, 1646, 1654.
H	336	VICTIM'S FAMILY WITNESS EXECUTION (Ch. SL 97-0070)	162, 264, 303, 939, 953, 957, 1008.
H	476	VITAL RECORDS ACCESS (Ch. SL 97-0242)	239, 653, 736, 758, 815, 1179, 1215, 1240, 1243, 1251.
H	480	WOMENWORK FUND (Approp - General Government) (S 475)	240, 663, 1201, 1349, 1364, 1374.
S	475	WOMENWORK FUND (Appropriations) (H 480)	1237, 1296, 1558.

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H 115 1997 TECHNICAL CORRECTIONS

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H 935 PROMOTE LLAMA BREEDING

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S 565 VARIABLE RATE LOANS

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FISH AND FISHING - see CONSERVATION AND DEVELOPMENT**FITCH, MILTON F., JR.**

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S	816	ALLIGATOR/YELLOW PERCH PRODUCTION (Ch. SL 97-0198)	787, 1043, 1129, 1133, 1198.
H	1108	BREW ON PREMISES PERMITS (Ch. SL 97-0467)	616, 995, 1150, 1166, 1173, 1500, 1569, 1590, 1596, 1632, 1644, 1652, 1654.
H	493	CURRENT OPERATIONS APPROPRIATIONS ACT (Appropriations) (S 352)	242.
S	352	CURRENT OPERATIONS APPROPRIATIONS ACT (Ch. SL 97-0443) (H 493)	688, 1073, 1080, 1095, 1101, 1124, 1141, 1723, 1725, 1729, 1748.
H	1132	DATE RAPE DRUGS (Ch. SL 97-0501)	621, 731, 838, 1733, 1762, 1797.
H	123	ELIMINATE FOOD TAX (Finance)	90.
H	471	FOOD ESTABLISHMENTS - CLARIFY DEFINITION (Commerce) (S 486)	238.
S	486	FOOD ESTABLISHMENTS - CLARIFY DEFINITION (Rules, Calendar & Operations of the House) (H 471)	765, 1048, 1104, 1716.
H	1189	FOOD TAX REDUCTION/ALCOHOL TAX INCREASE (Commerce)	790.
S	727	INSURANCE REGULATORY CHARGE (Ch. SL 97-0475) (Included Ch. SL 97-0443)	625, 1012, 1038, 1052, 1054, 1064, 1598, 1606, 1616, 1625, 1642, 1707, 1714.
H	165	LODGING ESTABLISHMENTS/SANITATION (Senate) (S 208)	100, 364, 411, 756, 785.
S	208	LODGING ESTABLISHMENTS/SANITATION (Ch. SL 97-0367) (H 165)	475, 1330, 1463, 1468, 1549.
H	22	LOWER FOOD TAX ANOTHER ONE CENT (Finance)	47.
H	2	LOWER FOOD TAX TWO CENTS MORE (Finance)	42.
H	1013	MODIFY FOOD TAX/MERCHANT'S DISCOUNT (Finance)	596.
H	591	REFUND \$145 MILLION OF FOOD TAX (Finance)	349.
H	1037	SALE OF CERTAIN EXOTIC MEATS (Senate)	601, 730, 774, 780, 843.
H	998	SOUTHERN DAIRY COMPACT (Senate) (S 977)	584, 1036, 1123, 1137, 1175.

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- S 977 SOUTHERN DAIRY COMPACT
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- S 837 SPORTS CLUB ALCOHOLIC BEVERAGE
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- H 577 FORESTER REGISTRATION
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- H 632 84TH HOUSE DISTRICT LOCAL ACT
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- H 270 BETHANIA CHARTER AMENDED
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- H 631 FORSYTH LOCAL ACT
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- H 630 KERNERSVILLE LOCAL ACT
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- S 615 KERNERSVILLE VEHICLE TAX
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- S 464 WINSTON-SALEM/FORSYTH COUNTY
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- APPROVAL OF VOTE CHANGE ON
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- BILLS INTRODUCED - 38, 41, 43, 44, 45, 46, 47, 48, 49, 50, 83, 131,
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COMMITTEE ASSIGNMENTS - Agriculture; Appropriations; Appropriations, Subcommittee on Natural and Economic Resources; Commerce; Commerce, Subcommittee on Travel and Tourism; Education; Education, Subcommittee on Community Colleges, Ranking Minority Member; State Government; State Government, Subcommittee on State Parks, Facilities and Property, Ranking Minority Member.

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H 42	EXTEND SUNSET FOR CAROLINA TRACE (Ch. SL 97-0294)	52, 150, 165, 1242, 1342, 1347, 1348, 1354, 1367.
H 784	FRANKLIN COUNTY LOCAL ACT (Rules, Calendar & Operations of the House).....	448.
S 594	LOCAL SALES TAX FOR SCHOOLS (Rules, Calendar & Operations of the House)....	1750.

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H 26	AMEND LIQUIFIED PETROLEUM GAS CODE (Rules, Calendar & Operations of the House).....	49, 641, 1504.
H 919	BOAT FUEL TAX FOR BOATS (Appropriations).....	517, 1235.
H 224	BROWNFIELDS/PROPERTY USE RESTRICTIONS (Rules, Calendar & Operations of the House) (S 125).....	115, 662, 775.
S 125	BROWNFIELDS/PROPERTY USE RESTRICTIONS (Ch. SL 97-0394) (H 224).....	706, 1252, 1485, 1518, 1603.
H 519	CLEAN WATER BONDS/NATURAL GAS (Rules, Calendar & Operations of the House).....	297.

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H	35	CONFORM SALES AND FUEL TAX REFUND PERIOD (Ch. SL 97-0423) (Included Ch. SL 97-0443)	50, 135, 166, 1552, 1562, 1575, 1581, 1689.
H	493	CURRENT OPERATIONS APPROPRIATIONS ACT (Appropriations) (S 352)	242.
S	352	CURRENT OPERATIONS APPROPRIATIONS ACT (Ch. SL 97-0443) (H 493)	688, 1073, 1080, 1095, 1101, 1124, 1141, 1723, 1725, 1729, 1748.
H	227	INACTIVE HAZARDOUS SITES RECORDATION (Ch. SL 97-0528) (S 114)	116, 495, 552, 1190, 1203, 1211, 1221, 1223, 1310, 1651, 1658, 1730, 1749.
S	114	LOCAL WATER QUALITY/LEAKING UNDERGROUND STORAGE TANK CLEANUP (Ch. SL 97-0493) (H 227)	499, 1417, 1713, 1748.
H	1226	MOTOR CARRIER DIESEL TAX PAYMENT (Transportation)	876.
H	495	NATURAL GAS (Ch. SL 97-0426)	252, 426, 641, 920, 979, 1021, 1050, 1521, 1532, 1542, 1548, 1689.
H	1009	NOTICE OF HAZARDOUS DISCHARGE (Senate) (S 918)	595, 774, 830.
S	918	NOTICE OF HAZARDOUS DISCHARGE (Senate Failed to Concur) (H 1009)	801, 1516, 1571, 1714, 1731.
H	646	REVISE UNIFORM COMMERCIAL CODE/CROP LIENS (Ch. SL 97-0336)	388, 577, 640, 1361, 1369, 1384, 1471.
H	125	ROLL BACK GAS TAX (Finance)	90.
S	815	SPEAKER/PRO TEM APPOINTMENTS (Ch. SL 97-0495)	1718, 1751, 1783, 1790, 1816.
S	98	TAX AT RACK IMPROVEMENTS (Ch. SL 97-0060)	164, 251, 502, 503, 537, 880, 891, 898, 959.

FUNDS - see APPROPRIATIONS (LOCAL or PUBLIC)**FUNERAL SERVICES**

S	930	ABOLISH BURIAL COMMISSION (Ch. SL 97-0313)	797, 1234, 1317, 1341, 1415.
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FUNERAL SERVICES-Contd.

H 1017	BOARD OF MORTUARY SCIENCE (Rules, Calendar & Operations of the House).....	597.
H 485	FUNERAL ESTABLISHMENTS (Ch. SL 97-0399)	241, 524, 644, 716, 744, 1540, 1604.
H 374	MODIFY VICTIMS COMPENSATION ACT (Ch. SL 97-0227)	180, 251, 271, 1138, 1153, 1158, 1249.
H 170	NO SALES TAX ON FUNERALS (Appropriations).....	101, 1201.
H 476	VITAL RECORDS ACCESS (Ch. SL 97-0242)	239, 653, 736, 758, 815, 1179, 1215, 1240, 1243, 1251.

-G-**GAMBLE, JOHN R., JR.**

BILLS INTRODUCED - 10, 248, 273, *284, *317, *324, *325, *326, 347, 351, 398, *467, 478, 554, 560, 561, 563, 591, 610, 643, *735, 770, 796, 845, 906, 907, 911, 916, 918, 933, 939, 964, 1014, 1024, 1025, 1064, 1069, 1072, *1095, 1096, 1115, 1116, 1128, 1154, 1155, 1195, 1210, 1223.	
COMMITTEE ASSIGNMENTS - Environment; Ethics, Ranking Minority Member; Finance; Insurance.	
EXCUSED ABSENCES.....	422, 439, 507, 897, 946, 1188, 1397, 1413, 1566, 1581, 1653, 1673.
OATH.....	18.
VOTE CORRECTION ON H.B. 468.....	818.

GAMING - also see LOTTERY

H 83	1997 EDUCATION LOTTERY (Rules, Calendar & Operations of the House).....	68.
H 918	1997 LOTTERY FOR EDUCATION (Rules, Calendar & Operations of the House).....	516.
H 951	CHARITABLE BINGO REGULATIONS (Judiciary II) (Included Ch. SL 97-0483)	545.
H 394	DOGFIGHTS/GAMBLING/FELONY (Judiciary I).....	191.
H 1048	INCREASE COCK FIGHTING PENALTY (Rules, Calendar & Operations of the House) ...	575, 603.
H 147	OUTLAW DOG FIGHTS (Ch. SL 97-0078)	96, 524, 553, 947, 1009.

GAMING-Contd.

- H 29 RAFFLE LIMITS INCREASED
(Ch. SL 97-0010) 49, 86, 154, 309, 396.
- H 297 STATE LOTTERY FOR PUBLIC WORKS
(Rules, Calendar & Operations of the House)..... 143.

GARDNER, CHARLOTTE A.

BILLS INTRODUCED - 13, 18, 19, 20, *56, 77, 131, 139, 140, 158,
159, 248, *263, 267, 271, 272, 285, *301, 310, 340, 345, 351,
*363, 389, 394, 431, 448, 449, *478, 512, 536, 554, 555, 556, 557,
*561, *564, 638, 639, 660, 665, 672, *682, 739, 769, 770, *803,
813, 869, *896, 902, 905, 906, 908, 911, 913, 914, 927, 929, 932,
933, 941, *948, *949, *950, 964, 986, 1062, 1063, 1064, 1067,
1070, 1079, 1115, 1116, 1155, 1162, 1167, 1195, 1234.

COMMITTEE ASSIGNMENTS - Appropriations; Appropriations,
Subcommittee on Capital and Budget; Appropriations, Subcommittee
on Human Resources, Co-Chair; Environment; Human Resources;
Human Resources, Subcommittee on Aging; Insurance; Judiciary II;
Welfare Reform.

CONFeree: H.B. 81 940.

CONFeree: S.B. 352 1141.

ESCORT FOR UNITED STATES SENATOR

JESSE A. HELMS 1027.

EXCUSED ABSENCES 273, 1196, 1209,
1214, 1227, 1719, 1748.

OATH 18.

SECONDS ADJOURNMENT 1057.

GASOLINE AND OIL INSPECTION AND REGULATION (G.S. 119)

H 1141 AMEND BUILDING/HOUSING CODES
(Commerce) 623.

H 26 AMEND LIQUIFIED PETROLEUM GAS CODE
(Rules, Calendar & Operations of the House)..... 49,
641, 1504.

S 33 REVENUE LAWS TECHNICAL CHANGES
(Ch. SL 97-0006) 164, 188, 225, 246, 253, 345.

GASTON COUNTY

H 643 BELMONT ANNEXATION AGREEMENT
(Ch. SL 97-0105) 388, 513, 573, 647,
678, 711, 1040, 1048, 1060.

H 845 GASTON ROAD HUNTING
(Ch. SL 97-0066) 465, 572, 589, 958, 969.

GASTON COUNTY-Contd.

H	97	GASTONIA SUPPLEMENTAL FUNDS (Ch. SL 97-0161)	72, 168, 265, 301, 1107, 1121.
H	583	KINGS MOUNTAIN ALCOHOLIC BEVERAGE CONTROL BOARD (Ch. SL 97-0047)	347, 511, 538, 920, 923.
H	777	KINGS MOUNTAIN ANNEXATION/ MOSS LAKE USE (Rules, Calendar & Operations of the House)	447, 571, 655, 732, 781, 1228, 1279, 1302, 1318, 1349, 1388.
H	1231	LOCAL TRANSIT REVENUE OPTIONS (Ch. SL 97-0417)	962, 1201, 1324, 1377, 1455, 1465, 1546, 1554, 1573, 1579, 1585, 1595, 1602, 1688.
H	634	MOUNTAIN ISLAND LAKE MARINE COMMISSION (Rules, Calendar & Operations of the House) (S 500)	375, 512, 531.
S	500	MOUNTAIN ISLAND LAKE MARINE COMMISSION (Ch. SL 97-0257) (H 634)	563, 1091, 1186, 1205, 1212, 1268, 1299.

GATES COUNTY

H	503	GATES LOCAL ACT (Rules, Calendar & Operations of the House)	266.
S	59	GATES/ONSLOW SCHOOL ACQUISITION (Ch. SL 97-0024) (H 99)	329, 444, 487, 500, 519, 555, 575.
H	703	LOCAL BEAR HUNTING (Rules, Calendar & Operations of the House)	404.
H	367	NORTHEAST COUNTIES INSPECTION LIENS (Senate)	179, 319, 367, 393.

GENERAL ASSEMBLY (G.S. 120)

H	83	1997 EDUCATION LOTTERY (Rules, Calendar & Operations of the House)	68.
H	918	1997 LOTTERY FOR EDUCATION (Rules, Calendar & Operations of the House)	516.
H	642	1997 RETIREMENT BENEFITS ACT (Appropriations)	388, 557.
H	115	1997 TECHNICAL CORRECTIONS (Ch. SL 97-0456)	88, 523, 567, 625, 1790, 1791, 1802, 1803, 1805, 1816.

GENERAL ASSEMBLY-Contd.

H	460	ABOLISH AQUARIUMS COMMISSION (Ch. SL 97-0286)	236, 541, 736, 757, 813, 1236, 1258, 1268, 1356.
H	896	CHILD WELFARE CHANGES (Ch. SL 97-0390)	484, 593, 669, 720, 722, 745, 769, 1499, 1516, 1524, 1529, 1599.
H	964	CODE OF LEGISLATIVE ETHICS REVISION (Judiciary I)	561, 729, 794.
H	493	CURRENT OPERATIONS APPROPRIATIONS ACT (Appropriations) (S 352)	242.
S	352	CURRENT OPERATIONS APPROPRIATIONS ACT (Ch. SL 97-0443) (H 493)	688, 1073, 1080, 1095, 1101, 1124, 1141, 1723, 1725, 1729, 1748.
S	5	EDUCATION GOVERNANCE CHANGES (Failed 2nd Reading)	798, 1161, 1224, 1239, 1240.
H	290	ELECTRONIC COMMERCE COMMISSION (Rules, Calendar & Operations of the House) (Included Ch. SL 97-0483)	138.
H	464	ENHANCE CHILD CARE (Human Resources)	237, 689.
S	929	ENHANCE CHILD CARE (Ch. SL 97-0506)	797, 1600, 1662, 1695, 1714, 1734, 1796.
S	886	HIRE AMONG MOST QUALIFIED (Ch. SL 97-0520) (H 1096) ...	1561, 1722, 1743, 1796.
H	214	INCREASE ENVIRONMENTAL REVIEW COMMISSION MEMBERSHIP (Environment) (S 140)	113.
S	140	INCREASE ENVIRONMENTAL REVIEW COMMISSION MEMBERSHIP (Ch. SL 97-0031) (H 214)	192, 441, 505, 507, 591.
H	127	INCREASE STATE EMPLOYEE TRAVEL RATES (Appropriations)	92, 368.
H	1047	INFORMATION TECHNOLOGY COMMISSION (Rules, Calendar & Operations of the House) (Included Ch. SL 97-0483)	603.
S	843	INSURANCE TECHNICAL CHANGES (Returned to Senate for Concurrence)	787, 1605, 1725, 1773, 1775, 1791, 1792.
S	539	LOBBYIST DISCLOSURE (Ethics)	740, 1296.
S	649	LOBBYIST PENALTY (Finance)	1013, 1749.

GENERAL ASSEMBLY-Contd.

H	382	LOBBYIST POLITICAL ACTIVITY (Rules, Calendar & Operations of the House).....	189, 772, 829.
H	546	LOBBYIST REFORM ACT OF 1997 (Rules, Calendar & Operations of the House).....	324.
S	3	LOBBYIST WAITING PERIOD (Rules, Calendar & Operations of the House) (Included Ch. SL 97-0483)	164, 272, 330.
H	10	NO REVOLVING DOOR (Election Law & Campaign Reform)	44.
H	90	OBSOLETE SCHOOL LAWS (Education) (S 70)	70.
S	70	OBSOLETE SCHOOL LAWS (Ch. SL 97-0018) (H 90)	172, 228, 364, 409, 540.
S	636	PUBLIC HEALTH AUTHORITY ACT (Ch. SL 97-0502)	822, 1411, 1739, 1764, 1810.
H	421	RESPIRATORY CARE PRACTICE ACT (Insurance)	221, 988.
H	1022	RETIREMENT SERVICE TRANSFER (Appropriations)	598, 665.
H	735	REVISE LEGISLATIVE ETHICS/LOBBYING (Ethics)	415.
S	904	SESSION LIMITS IMPLEMENTING (Election Law & Campaign Reform)	824.
S	815	SPEAKER/PRO TEM APPOINTMENTS (Ch. SL 97-0495)	1718, 1751, 1783, 1790, 1816.
H	122	STATE BUILDING EVACUATION (Ch. SL 97-0112) (S 78)	89, 308, 328, 938, 953, 957, 1070.
S	78	STATE BUILDING EVACUATION (State Government) (H 122)	392.
H	1135	STATE EMPLOYEE INCENTIVE BONUS (Rules, Calendar & Operations of the House)	622, 764, 812, 841.
H	297	STATE LOTTERY FOR PUBLIC WORKS (Rules, Calendar & Operations of the House)	143.
S	32	STUDIES ACT (Ch. SL 97-0483) (H 18)	1781, 1783, 1784, 1790, 1800, 1801, 1813, 1815.
H	129	TRANSFER DEPARTMENT OF MOTOR VEHICLES TO CRIME CONTROL AND PUBLIC SAFETY (Rules, Calendar & Operations of the House)	92.

GENERAL ASSEMBLY-Contd.

H 133	TRANSFER MARINE FISHERIES (Environment).....	93.
S 27	VETO PROCEDURAL CHANGES (Ch. SL 97-0001).....	90, 104, 133, 134, 173.
S 1015	WELFARE REFORM ACT OF 1997 (Appropriations).....	853, 1037.

**GENERAL STATUTES OF NORTH CAROLINA,
CONCERNING THE (G.S. 164)**

H 493	CURRENT OPERATIONS APPROPRIATIONS ACT (Appropriations) (S 352).....	242.
S 352	CURRENT OPERATIONS APPROPRIATIONS ACT (Ch. SL 97-0443) (H 493).....	688, 1073, 1080, 1095, 1101, 1124, 1141, 1723, 1725, 1729, 1748.
H 169	SENTENCING COMMISSION CONTINUED (Appropriations).....	101, 216.

GOODWIN, G. WAYNE

APPROVAL OF VOTE CHANGE ON AMENDMENT NO. 21 OF S.B. 352.....	1101.
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APPROVAL OF VOTE CHANGE ON

COMMITTEE SUBSTITUTE NO. 2 FOR H.B. 136.....	270.
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BILLS INTRODUCED - 2, 12, 13, 20, *21, 66, *73, 80, 82, 86, 108, 110, 119, 122, 152, 157, 159, 164, 170, 172, 193, 233, 259, 264, 271, 272, 287, 295, 299, *312, 320, 328, 343, 345, 347, 351, 358, 362, 374, 389, 391, 394, 395, 399, 402, 406, *424, 432, 448, 449, 454, 465, *466, 481, 490, 491, 494, 507, 519, 527, 529, 540, 543, 550, 551, 554, 560, 561, 563, 571, 575, 581, 591, 611, *613, 620, 638, 660, 662, 663, 664, 665, *669, 672, 683, 688, 689, 690, 693, 694, *710, *713, *714, *715, 716, 717, 739, 769, 770, 796, 813, 836, 842, 849, 857, 869, 871, *872, 878, 880, 905, 906, 907, 909, 911, 929, 938, 941, 943, 945, 946, 950, 952, 956, 963, 973, 975, 979, 985, 986, 987, 991, 992, 1000, 1010, 1014, 1058, 1069, 1070, 1072, 1088, 1147, 1154, 1155, 1168, 1169, 1173, 1177, 1182, 1183, 1195, 1208, 1210, 1218, 1220, 1230, 1243.	
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COMMITTEE ASSIGNMENTS - Commerce; Commerce, Subcommittee on Business and Labor; Finance; Judiciary II; Pensions and Retirement; UNC Board of Governors.	
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ESCORT FOR SPEAKER PRO TEMPORE.....	36.
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EXCUSED ABSENCES.....	91, 590, 1311, 1413, 1459, 1673.
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OATH.....	18.
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OFFERS PRAYER.....	85.
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SECONDS ADJOURNMENT	91, 539.
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GRADY, W. ROBERT

BILLS INTRODUCED - 19, 20, 64, 78, *86, 87, 88, 89, 90, *146, 158, 159, 172, 180, 183, 256, 310, 312, 313, 315, 316, 351, 370, 389, 424, *454, 512, 527, *537, 554, *574, *585, 591, 665, 701, 739, 746, 769, 770, 796, *807, 813, 824, 864, 869, *905, 906, 938, 939, 964, 973, 986, 1019, *1031, *1057, 1067, 1070, 1072, 1074, 1075, 1097, 1098, 1099, *1115, 1116, 1152, 1154, 1155, 1162, 1182, 1183, 1195, *1201, 1218.

COMMITTEE ASSIGNMENTS - Appropriations; Appropriations, Subcommittee on Education, Co-Chair; Commerce; Commerce, Subcommittee on Travel and Tourism; Congressional Redistricting; Education; Education, Subcommittee on Community Colleges; Pensions and Retirement; UNC Board of Governors.

CONFEREE: S.B. 272 927.
 CONFEREE: S.B. 352 1141.
 CONFEREE: S.B. 660 1489.
 EXCUSED ABSENCES 91, 176, 185.
 OATH 18.

GRAHAM, REVEREND BILLY

ADDRESSES JOINT SESSION 859.
 PRESENTED PLAQUE HONORING HIM AS
 "WORLD EVANGELIST" 867.

GRANVILLE COUNTY

H 783 GRANVILLE LOCAL ACT
 (Rules, Calendar & Operations of the House)..... 448.

GRAY, LYONS

APPROVAL OF VOTE CHANGE ON
 AMENDMENT NO. 21 OF S.B. 352 1101.
 BILLS INTRODUCED - 147, *172, 183, 223, 248, 256, *260, *289, 369, *494, 538, 539, 554, 739, 769, 770, 813, 864, *991, *992, *993, 1096, 1155, *1160, 1195, 1211, *1235, 1237.
 COMMITTEE ASSIGNMENTS - Congressional Redistricting; Ethics; Finance, Senior Ranking Member; Finance, Co-Chair; Judiciary I; Pensions and Retirement; Technology; UNC Board of Governors, Chair.
 CONFEREE: S.B. 1 1770.
 CONFEREE: S.B. 316 (Chair) 1004.
 CONFEREE: S.B. 352 1141.
 CONFEREE: S.B. 727 (Chair) 1606.
 CONFEREE: S.B. 993 1288.

GRAY, LYONS-Contd.

ESCORT FOR COACH DEAN SMITH	1509.
ESCORT FOR DR. JOHN HOPE FRANKLIN	1425.
EXCUSED ABSENCES.....	457, 575, 590, 1548, 1560, 1719.
OATH.....	18.

GREENE COUNTY

S 535 COUNTY/CONSENT BEFORE ACQUISITION (Ch. SL 97-0263)	765, 1062, 1082, 1122, 1195, 1207, 1214, 1312.
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GUESTS

CLINTON, WILLIAM J., PRESIDENT OF THE UNITED STATES.....	277.
COGGINS, JULIAN L., NORTH CAROLINA TEACHER OF THE YEAR	1317.
COHEN, WILLIAM, SECRETARY OF UNITED STATES DEPARTMENT OF DEFENSE	277.
FRANKLIN, DR. JOHN HOPE	1437.
GRAHAM, REVEREND BILLY	859.
HELMS, UNITED STATES SENATOR JESSE A.	1029.
RILEY, RICHARD, SECRETARY OF UNITED STATES DEPARTMENT OF EDUCATION	277.
SMITH, COACH DEAN	1522.

GUILFORD COUNTY

H 632 84TH HOUSE DISTRICT LOCAL ACT (Rules, Calendar & Operations of the House).....	375.
S 535 COUNTY/CONSENT BEFORE ACQUISITION (Ch. SL 97-0263)	765, 1062, 1082, 1122, 1195, 1207, 1214, 1312.
S 643 GREENSBORO COUNCIL DISCLOSURE (Failed 2nd Reading).....	851, 1135, 1172, 1222.
H 288 GREENSBORO HOUSING CODE (Ch. SL 97-0089)	138, 368, 418, 1007, 1041.
H 17 GUILFORD CONFLICT REPEAL (Ch. SL 97-0085)	46, 147, 202, 223, 1007, 1040.
H 882 GUILFORD LOCAL ACT (Rules, Calendar & Operations of the House).....	472.
H 884 GUILFORD LOCAL ACT (Rules, Calendar & Operations of the House).....	473.
S 645 GUILFORD SCHOOL BOARD DISCLOSURE (Ch. SL 97-0191)	851, 1135, 1172, 1181, 1188, 1198.

GUILFORD COUNTY-Contd.

S	644	HIGH POINT COUNCIL DISCLOSURE (Failed 2nd Reading).....	851, 1135, 1172, 1222.
H	391	HIGH POINT FIREMEN'S PENSION (Ch. SL 97-0067)	191, 442, 557, 588, 968, 978.
H	378	HIGH POINT ZONING (Rules, Calendar & Operations of the House) (H 390)	181.
H	390	HIGH POINT ZONING (Rules, Calendar & Operations of the House) (H 378)	190.
H	708	LOCAL SPRINKLER SYSTEMS (Local & Regional Government II) (S 556)	405, 513, 536, 1305.
S	556	LOCAL SPRINKLER SYSTEMS (Ch. SL 97-0316) (H 708)	499, 1150, 1181, 1193, 1206, 1242, 1287, 1374, 1386, 1394, 1403, 1411, 1420, 1427, 1429, 1446.
H	72	OAK RIDGE INCORPORATED (Rules, Calendar & Operations of the House)	59, 265, 539, 559, 680, 711, 1768.
S	534	PLEASANT GARDEN INCORPORATED (Ch. SL 97-0344)	1322, 1368, 1448, 1476, 1484, 1487, 1495.
S	624	SEDALIA INCORPORATED (Ch. SL 97-0444)	1633, 1640, 1677, 1679, 1696, 1711, 1798.
H	67	SUMMERFIELD/LELAND AMENDMENTS (Ch. SL 97-0249)	58, 264, 483, 510, 532, 548, 1220, 1245, 1256, 1266, 1269.

GULLEY, JIM

BILLS INTRODUCED - 16, 22, 29, 30, 31, 38, 79, 81, 122, 147, 158, 159, 183, 235, 248, 267, 271, 272, *296, 309, 313, 315, 316, 341, 342, 351, 361, 369, 370, 372, 374, 389, *395, 405, 425, 426, 427, 432, *433, 457, 518, 519, 523, 524, 525, 527, 536, 538, 554, 555, 556, 557, 587, 596, 612, 665, 672, *707, 708, 712, 739, 746, *747, *748, 766, 769, 770, 813, 814, 824, 845, *850, 864, *867, 869, 902, 909, 914, 927, 928, 929, 934, 938, 939, 943, 964, 973, 975, 981, 982, 986, 1010, 1012, 1014, 1016, 1019, 1067, 1076, 1077, 1088, 1096, 1109, 1110, 1111, *1122, 1128, 1152, 1155, 1162, 1177, 1189, 1195, 1231.

GULLEY, JIM-Contd.

COMMITTEE ASSIGNMENTS - Appropriations; Appropriations, Subcommittee on Transportation; Education; Education, Subcommittee on Preschool, Elementary and Secondary Education; Environment; Human Resources; Human Resources, Subcommittee on Families; Rules, Calendar, and Operations of the House; State Government; State Government, Subcommittee on State Parks, Facilities and Property, Chair; Technology.

CONFeree: S.B. 556..... 1287.

OATH..... 18.

SECONDS ADJOURNMENT 1547.

GUN CONTROL - see WEAPONS**-H-****HACKNEY, JOE**

BILLS INTRODUCED - 150, 154, 156, *226, *227, *228, *229, 248, 289, 308, 312, 318, 347, 351, 374, 375, *399, *448, *449, 494, 519, *533, *534, *535, 543, 555, 556, 557, 560, 561, 563, *581, *611, 613, 635, 640, 758, 759, 760, 761, 762, *907, *917, 922, *925, 943, 1010, 1014, *1080, 1084, 1085, 1091, 1115, *1129, 1147, 1154, 1155, 1167, 1180, 1185, 1195, 1203, 1210, 1231, *1240.

COMMITTEE ASSIGNMENTS - Environment; Finance; Judiciary II; Technology.

CONFeree: H.B. 227 1223.

CONFeree: H.B. 484 1162.

ESCORT FOR COACH DEAN SMITH 1509.

EXCUSED ABSENCES..... 395, 409, 422, 439,
1196, 1486, 1529, 1539,
1548, 1560, 1566, 1581.

EXCUSED VOTE: H.B. 1071 817.

EXCUSED VOTE: H.B. 1096 1647.

EXCUSED VOTE: S.B. 323 975.

OATH 18.

SECONDS ADJOURNMENT 249, 1478.

HALIFAX COUNTY

H 388 AMEND TRESPASS OFFENSES

(Calendar Pursuant Rule 36(a))..... 190, 730.

H 429 BICYCLE DISPOSITION

(Ch. SL 97-0039) 230, 332, 352,
498, 645, 677, 694, 742.

HALIFAX COUNTY-Contd.

S	535	COUNTY/CONSENT BEFORE ACQUISITION (Ch. SL 97-0263)	765, 1062, 1082, 1122, 1195, 1207, 1214, 1312.
H	776	HALIFAX LOCAL ACT (Rules, Calendar & Operations of the House).....	447.
H	71	HALIFAX-ROANOKE RAPIDS AIRPORT (Ch. SL 97-0275)	59, 187, 219, 261, 267, 300, 312, 1312, 1329.
H	972	HALIWA NAME CHANGE (Senate) (S 1074)	562, 654, 719.
S	1074	HALIWA NAME CHANGE (Ch. SL 97-0293) (H 972).....	742, 1231, 1265, 1268, 1356.
H	785	ROANOKE RAPIDS (Rules, Calendar & Operations of the House).....	448.
H	68	ROANOKE RAPIDS BICYCLE DISPOSITION (Senate)	58, 187, 214.
H	69	ROANOKE RAPIDS HOUSING CODE (Senate)	59, 187, 214.
H	346	ROANOKE RAPIDS OCCUPANCY TAX (Local & Regional Government I)	169.
H	70	ROANOKE RAPIDS STRUCTURES (Ch. SL 97-0101)	59, 187, 215, 997, 1013, 1026, 1042.

HALL, BOBBY RAY

APPROVAL OF VOTE CHANGE ON H.B. 96	1410.
APPROVAL OF VOTE CHANGE ON S.B. 352	1103.
APPROVAL OF VOTE CHANGE ON S.J.R. 707	1432.
BILLS INTRODUCED - 10, 13, 14, 15, *16, 19, 20, 21, 29, 42, 82, 95, 120, *121, 126, 139, 140, 158, 159, 170, 176, 180, 193, 198, 248, 256, 260, 267, 271, 272, 274, 276, 296, 310, 312, 347, 351, 359, 360, 389, 399, 425, 426, 427, 432, 472, *496, 519, 525, 527, 529, *542, 554, 555, 629, *637, 638, 639, 640, 665, *670, *671, *672, 707, 716, 739, 770, *855, 869, 878, 927, 928, 939, 964, 973, 980, 981, 982, 986, 987, 1005, 1012, 1013, 1019, 1039, 1058, 1064, 1067, *1074, *1075, 1076, 1089, 1092, *1113, 1115, 1116, 1128, *1147, 1155, 1177, 1195.	
COMMITTEE ASSIGNMENTS - Appropriations; Appropriations, Subcommittee on Capital and Budget; Appropriations, Subcommittee on Natural and Economic Resources; Commerce; Commerce, Subcommittee on Financial Institutions, Chair; Education; Education,	

HALL, BOBBY RAY-Contd.

Subcommittee on Preschool, Elementary and Secondary Education;
Environment; Judiciary I; Ways and Means.

CONFeree: S.B. 143.....	1391.
CONFeree: S.B. 424.....	1771.
CONFeree: S.B. 565.....	1634.
EXCUSED ABSENCES.....	946, 1560, 1566, 1581.
EXCUSED VOTE: S.B. 565	1614.
OATH.....	18.
SECONDS ADJOURNMENT	1196.

HANDICAPPED PERSONS (G.S. 168)**S 843 INSURANCE TECHNICAL CHANGES**

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1725, 1773, 1775, 1791, 1792.

HARDAWAY, THOMAS C.

BILLS INTRODUCED - 32, 33, 68, 69, 70, 71, 83, 223, 248, 297, 343,
351, 352, 358, 361, 424, 454, 465, 519, 527, 550, 551, 552, 582,
591, 611, *644, 757, *776, 906, *916, 918, 919, 957, 963, *972,
987, 1010, 1115, 1125, *1146, 1155, 1195, 1210, 1223, 1230.

COMMITTEE ASSIGNMENTS - Agriculture; Appropriations;
Appropriations, Subcommittee on Transportation, Ranking Minority
Member; Commerce; Commerce, Subcommittee on Financial
Institutions; Congressional Redistricting; Insurance; Judiciary I.

EXCUSED ABSENCES.....	263, 379, 575, 1024, 1376, 1539, 1748.
EXCUSED VOTE: H.B. 485.....	716, 744.
OATH.....	18.
SECONDS ADJOURNMENT	554.

HARDY, EDWIN M.

APPOINTMENT TO SELECT COMMITTEE ON

JUSTICE AND THE FUTURE OF THE COURTS..... 538.

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APPROVAL OF VOTE CHANGE ON H.B. 508..... 1063.

APPROVAL OF VOTE CHANGE ON H.B. 1064..... 840.

APPROVAL OF VOTE CHANGE ON S.B. 424..... 1679.

APPROVAL OF VOTE CHANGE ON

JOURNAL OF APRIL 16 575.

BILLS INTRODUCED - 3, 4, 6, 7, 10, 13, 15, 16, 19, 20, 22, 27, 37,
53, 54, 55, 92, 93, 94, 122, 130, 147, 158, 159, 168, 170, 183, 248,

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267, 271, 272, 282, 295, 296, 303, 310, 313, 370, 374, 389, 425, 426, 427, 432, 433, 448, 497, 498, 507, 525, 536, 539, 543, 584, 594, 639, 642, 660, 665, 672, 707, *718, *719, *720, *721, *722, *723, *724, *725, *726, *727, *728, *729, *730, *731, *732, *733, 739, 769, 770, 814, 869, 870, 872, 891, *892, 903, 904, 905, *927, *928, 930, 938, 942, 952, 957, 964, 973, 975, *980, *981, *982, 986, 1005, 1006, 1009, 1010, 1012, *1020, *1021, *1022, *1035, *1036, 1056, 1067, *1068, 1078, 1081, 1096, *1113, 1125, 1127, 1128, 1152, 1155, 1162, 1231.

COMMITTEE ASSIGNMENTS - Appropriations; Appropriations, Subcommittee on Justice and Public Safety; Commerce; Commerce, Subcommittee on Financial Institutions; Election Law and Campaign Reform; Insurance; Insurance - Subcommittee on Health; Judiciary I, Co-Chair; Local and Regional Government I; Pensions and Retirement; Ways and Means.

CONFeree: H.B. 1140	1154.
CONFeree: S.B. 157	1606.
CONFeree: S.B. 343	1697.
ESCORT FOR CHIEF JUSTICE	193.
EXCUSED ABSENCES.....	1298, 1560, 1566, 1581.
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SECONDS ADJOURNMENT	317.

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H	542	HARNETT COMMUNITY COLLEGE ACQUISITION (Finance-Local, Regional, & State Revenues)	323, 369, 483.
S	363	HARNETT COMMUNITY COLLEGE ACQUISITION (Ch. SL 97-0042)	485, 506, 554, 648, 880, 888, 898, 920.
H	629	HARNETT ROAD HUNTING (Ch. SL 97-0103)	374, 441, 477, 998, 1014, 1026, 1042.
H	685	HARNETT SUBDIVISION DEFINITION (Ch. SL 97-0246)	401, 759, 838, 839, 1248, 1269.
H	670	LEE/HARNETT UNCLAIMED BICYCLES (Senate)	398, 496, 534.
H	500	SUMMERVILLE INCORPORATED (Finance)	266, 368.

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PRAYERS - see FIRST PAGE OF EACH DAY'S JOURNAL

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H 429 BICYCLE DISPOSITION

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498, 645, 677, 694, 742.

H 65 CANTON DEANNEXATION

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244, 254, 1026, 1042.

H 619 HAYWOOD COUNTY TOURISM

(Rules, Calendar & Operations of the House)..... 373.

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H 224 BROWNFIELDS/PROPERTY USE RESTRICTIONS

(Rules, Calendar & Operations of the House)

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S 125 BROWNFIELDS/PROPERTY USE RESTRICTIONS

(Ch. SL 97-0394) (H 224)..... 706, 1252,
1485, 1518, 1603.

H 228 INACTIVE HAZARDOUS SITES INFORMATION

(Environment) (S 151) 116.

S 151 INACTIVE HAZARDOUS SITES INFORMATION

(Ch. SL 97-0053) (H 228).... 475, 495, 881, 894, 958.

H 227 INACTIVE HAZARDOUS SITES RECORDATION

(Ch. SL 97-0528) (S 114) 116, 495, 552,
1190, 1203, 1211, 1221, 1223,
1310, 1651, 1658, 1730, 1749.

H 229 INACTIVE HAZARDOUS SITES/REPORTS

AND NOTICE (Environment) (S 150) 116.

S 150 INACTIVE HAZARDOUS SITES/REPORTS

AND NOTICE (Ch. SL 97-0028)

(H 229)..... 299, 441, 505, 507, 591.

S 114 LOCAL WATER QUALITY/LEAKING

UNDERGROUND STORAGE TANK CLEANUP

(Ch. SL 97-0493) (H 227)..... 499, 1417, 1713, 1748.

H 903 NO LOW-LEVEL FACILITY IN FLOODPLAIN

(Commerce) 498.

H 1080 NORTH CAROLINA'S WITHDRAWAL
FROM SOUTHEAST COMPACT

(Commerce) 610.

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H 1129	REIMBURSEMENT FOR LOW-LEVEL FACILITY (Commerce)	620.
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HEALTH CARE FACILITIES AND SERVICES - also see**INSPECTION AND LICENSING OF FACILITIES (G.S. 131E)**

H 115	1997 TECHNICAL CORRECTIONS (Ch. SL 97-0456)	88, 523, 567, 625, 1790, 1791, 1802, 1803, 1805, 1816.
H 110	ADULT CARE/NURSING HOMES PENALTIES (Calendar Pursuant Rule 36(a)) (S 53).....	87, 229, 441, 593.
H 1162	CERTIFICATE OF NEED MODIFICATIONS (Insurance)	705.
S 876	CRIMINAL CHECKS/CONTRACT AGENCIES (Ch. SL 97-0125)	804, 933, 975, 987, 1071.
H 1091	CRIMINAL RECORD CHECK BY PRIVATE BUSINESS (Senate).....	612, 700, 762, 840.
H 1030	CRIMINAL RECORD CHECKS/CLERK OF COURT (Human Resources).....	600.
H 1223	FAMILY HEALTH CARE PROGRAM (Insurance - Health)	850, 1246.
H 186	FOSTER CARE CRIMINAL CHECK CORRECTION (Senate) (S 207)	107, 230, 307, 352, 361.
S 207	FOSTER CARE CRIMINAL CHECK CORRECTION (Ch. SL 97-0140) (H 186).....	485, 988, 1022, 1024, 1108.
H 1058	HEALTH CARE FACILITY/ANY WILLING PROVIDER (Insurance).....	605.
S 247	HOSPITAL CONTRACT CONFIDENTIAL SUNSET OFF (Ch. SL 97-0123).....	325, 506, 521, 914, 932, 936, 955, 987, 1071.
H 597	MUNICIPAL HOSPITAL/LEASE VENTURE (Ch. SL 97-0233)	357, 701, 778, 1151, 1164, 1169, 1250.
H 897	NURSING/REST HOME ADVISORY COMMITTEE APPOINTMENTS (Ch. SL 97-0176)	484, 594, 761, 794, 816, 835, 1068, 1160.
H 527	OPTOMETRY CHANGES (Ch. SL 97-0075)	310, 493, 566, 567, 987, 1009.
S 53	PENALTIES FOR ADULT CARE/NURSING HOMES (Ch. SL 97-0431) (H 110).....	765, 1411, 1533, 1548, 1690.

HEALTH CARE FACILITIES-Contd.

S 1055 PUBLIC HOSPITAL PERSONNEL ACT

(Ch. SL 97-0517) 798, 1230, 1337, 1816.

HELMS, JESSE A. - UNITED STATES SENATOR

ADDRESSES JOINT SESSION 1029.

HENDERSON COUNTY

H 661 HENDERSON COMMISSIONER DISTRICTS

(Senate) 391, 512, 537.

H 62 HENDERSON COUNTY ANNEXATION

AGREEMENTS (Senate) (S 198) 56, 136,
219, 261, 268.

S 198 HENDERSON COUNTY ANNEXATION

AGREEMENTS (Ch. SL 97-0188) (H 62) 406,
1045, 1062, 1093, 1127, 1142, 1164, 1169, 1188.

H 687 HENDERSON EQUALIZATION & REVIEW BOARD

(Ch. SL 97-0186) 401, 513, 536, 1159, 1177.

H 633 HENDERSON/LOCAL UNCLAIMED BICYCLES

(Senate) 375, 512, 536.

H 91 NONBETTERMENT RELOCATION COSTS

(Approp - Capital & Budget) 71, 136, 382.

S 826 SCHOOL BOARD AND LOCAL CHANGES

(Returned to Senate for Concurrence) (H 483) 801,
1461, 1559, 1570, 1590, 1631, 1641, 1693, 1711.**HENSLEY, ROBERT J., JR.**

APPROVAL OF VOTE CHANGE ON H.B. 302 1524.

BILLS INTRODUCED - 2, 107, 127, 147, 150, 154, 155, 156, 157,

191, 192, 193, 204, 217, 218, 220, 221, 222, 259, 287, 289, 312,

343, 347, 351, *353, *354, *355, 394, 424, 465, 519, 554, 591,

664, 735, 738, 739, 746, 770, *841, *854, 871, 872, *886, 905,

906, 907, 909, 916, 979, 1011, 1014, 1048, 1049, 1053, 1084,

1085, 1095, 1115, 1116, 1129, 1155, *1163, 1164, 1165, *1184,

1195, 1210, 1218, 1224, 1230, 1231.

COMMITTEE ASSIGNMENTS - Education; Education, Subcommittee on

Preschool, Elementary and Secondary Education; Finance; Insurance;

Insurance, Subcommittee on Health; Judiciary II; Technology.

ESCORT FOR CHIEF JUSTICE 193.

EXCUSED ABSENCE 481.

EXCUSED VOTE: H.B. 940 780.

OATH 18.

SECONDS ADJOURNMENT 215, 666, 1077.

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H 702	6TH HOUSE DISTRICT LOCAL ACT (Rules, Calendar & Operations of the House).....	403.
H 100	HERTFORD SCHOOL ELECTION DATE (Ch. SL 97-0043)	73, 482, 501, 919, 923.
H 506	HERTFORD/NORTHAMPTON SCHOOL ACQUISITION (Senate).....	266, 664, 795, 870, 894, 908.
H 367	NORTHEAST COUNTIES INSPECTION LIENS (Senate)	179, 319, 367, 393.

HIATT, WILLIAM S.

BILLS INTRODUCED - 38, *107, 138, 140, 180, 208, *231, *232, 248, 267, 310, 315, 316, 351, 389, *398, 432, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 454, 509, 512, 527, 529, 536, *548, 554, 610, 640, 665, *673, 704, 707, 739, 769, 770, 796, 813, 864, 905, 927, 930, 938, 951, 964, 977, 980, 1010, 1012, 1014, 1019, 1063, 1067, 1073, 1074, 1075, 1076, 1083, 1088, *1096, 1116, 1128, 1154, 1155, 1162, 1171, 1195, 1204, 1211.

COMMITTEE ASSIGNMENTS - Appropriations; Appropriations, Subcommittee on Transportation; Commerce, Co-Chair; Education; Education, Subcommittee on Preschool, Elementary and Secondary Education; Election Law and Campaign Reform; Public Employees; State Government; State Government - Subcommittee on Military, Veterans, and Indian Affairs.

CONFERE: H.B. 437 (Chair)..... 1610.

EXCUSED ABSENCES..... 946, 1413, 1426, 1445, 1459, 1494.

OATH..... 18.

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also see **COMMUNITY COLLEGES; EDUCATION**

S 376	CAMPUS LAW ENFORCEMENT (Ch. SL 97-0194)	707, 1080, 1130, 1133, 1198.
H 157	COMMUNITY COLLEGE SCHOLARSHIP PROGRAM (Approp - Education).....	98, 592, 872.
H 493	CURRENT OPERATIONS APPROPRIATIONS ACT (Appropriations) (S 352).....	242.
S 352	CURRENT OPERATIONS APPROPRIATIONS ACT (Ch. SL 97-0443) (H 493).....	688, 1073, 1080, 1095, 1101, 1124, 1141, 1723, 1725, 1729, 1748.
H 351	EXCELLENT SCHOOLS ACT (Calendar Pursuant Rule 36(a)) (S 272).....	170, 577, 671, 699.

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S	272	EXCELLENT SCHOOLS ACT (Ch. SL 97-0221) (H 351).....	393, 625, 689, 768, 896, 927, 1175, 1181, 1185, 1188, 1190, 1215.
H	746	HIGHER EDUCATION ADMISSION REQUIREMENTS (Ch. SL 97-0240).....	427, 482, 520, 1151, 1164, 1169, 1251.
H	628	MILITARY JOB INTERVIEWS (Senate)	374, 494, 520, 530.
H	308	REPEAL SUNSET ON FICA SAVING USE (Approp - Education) (Included Ch. SL 97-0443)	144, 201, 872.
S	466	TAX EXEMPT PARENTAL SAVINGS TRUST FUND (Ch. SL 97-0328)	1043, 1093, 1337, 1351, 1353, 1470.
S	862	UNIVERSITY OF NORTH CAROLINA CONTRACTS NEGOTIATIONS (Ch. SL 97-0412).....	800, 1230, 1478, 1497, 1558, 1581, 1687.
S	265	UNIVERSITY OF NORTH CAROLINA FLEXIBILITY PROCEDURES (Ch. SL 97-0071).....	351, 875, 899, 927, 943, 1008.
H	1025	UNIVERSITY OF NORTH CAROLINA MILITARY TUITION (Education).....	599.
H	1089	UNIVERSITY OF NORTH CAROLINA MILITARY TUITION (Approp - Education)	612, 668, 725, 736.
H	992	UNIVERSITY OF NORTH CAROLINA NONAPPROPRIATED CAPITAL PROJECTS (Approp - Capital & Budget) (S 833).....	583, 872, 901.
S	833	UNIVERSITY OF NORTH CAROLINA RECEIPT-SUPPORTED CAPITAL PROJECTS (Ch. SL 97-0425) (H 992).....	800, 1253, 1352, 1416, 1490, 1567, 1689.

HIGHTOWER, FOYLE R., JR.**APPROVAL OF VOTE CHANGE ON**

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APPROVAL OF VOTE CHANGE ON H.B. 488	362.
APPROVAL OF VOTE CHANGE ON H.B. 997	685.
BILLS INTRODUCED - 111, 180, 193, 223, 227, 229, 248, 312, 314, 347, 351, 361, 362, 374, 399, 432, 490, 494, 501, 507, 527, 554, 591, 640, 665, 672, 688, *689, *690, *691, *692, *693, *694, 769, 906, 909, 916, 918, 939, *958, 975, *996, 1014, 1054, 1064, 1069, 1080, 1088, 1092, 1093, 1096, 1101, 1115, 1129, 1132, 1140,	

HIGHTOWER, FOYLE R., JR.-Contd.

1144, 1147, 1155, 1180, 1195, 1210, *1216, 1218, 1220, 1221, 1222, 1236.

COMMITTEE ASSIGNMENTS - Agriculture; Environment; Finance; State Government; State Government, Subcommittee on Military, Veterans, and Indian Affairs

CONFEREE: H.B. 227 1223.

CONFEREE: H.B. 484 1162.

EXCUSED ABSENCES..... 522, 1006, 1105, 1298, 1353, 1529, 1539, 1548, 1686.

EXCUSED VOTE: H.B. 408 965, 972, 1489.

OATH 18.

SECONDS ADJOURNMENT 990, 1652.

HILL, DEWEY L.

BILLS INTRODUCED - 3, 10, 12, 13, 16, 22, 27, 30, 31, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 53, 54, 55, 57, 58, 59, 60, 61, *98, 140, 230, 248, 259, *292, *298, 314, 315, 344, 351, *359, *360, 361, 362, *377, 389, 499, 501, 511, *516, 519, 527, 536, 538, 539, 554, 555, 556, 557, 559, 639, 660, 664, 665, 672, *686, *700, 701, 704, 739, *763, 770, *772, *773, *775, 796, 813, *825, *826, *859, 860, 878, 900, 905, 906, 914, *934, 940, 941, 946, 959, 964, 974, 980, 982, 986, 987, 1010, 1013, 1032, 1039, 1043, 1061, 1064, 1068, 1072, 1074, 1075, 1081, 1090, 1092, 1095, 1096, 1097, 1114, 1115, 1128, 1155, 1159, 1162, 1173, 1177, 1191, 1195, 1210, 1218, 1224, 1225.

COMMITTEE ASSIGNMENTS - Agriculture, Ranking Minority Member; Commerce; Commerce, Subcommittee on Business and Labor; Congressional Redistricting, Ranking Minority Member; Environment, Co-Chair; Finance, Ranking Minority Member; Finance, Subcommittee on Local, Regional, and State Revenues, Chair; Rules, Calendar, and Operations of the House; State Government; State Government, Subcommittee on State Parks, Facilities and Property; Welfare Reform.

CONFEREE: H.B. 431 1650.

CONFEREE: H.B. 437 1610.

CONFEREE: H.B. 773 (Chair)..... 1363.

CONFEREE: S.B. 143..... 1391.

CONFEREE: S.B. 352..... 1141.

CONFEREE: S.B. 442..... 1286.

CONFEREE: S.B. 565..... 1634.

CONFEREE: S.B. 660..... 1489.

CONFEREE: S.B. 711..... 1715.

HILL, DEWEY L.-Contd.

CONFeree: S.B. 764.....	1170.
ESCORT FOR SPEAKER.....	25.
OATH.....	18.
SECONDS ADJOURNMENT	275.

HOLMES, GEORGE M.

APPROVAL OF VOTE CHANGE ON AMENDMENT NO. 21 OF S.B. 352.....	1101.
APPROVAL OF VOTE CHANGE ON H.B. 431.....	748.
BILLS INTRODUCED - *4, 128, 131, 139, 140, 178, 248, 250, 267, 268, 281, 389, 392, 393, *396, *397, 403, 404, 422, 423, *492, *493, 536, *600, *601, *602, 665, 739, 769, 770, 814, 930, 934, 992, 1024, 1067, 1155, 1195, 1243.	
COMMITTEE ASSIGNMENTS - Appropriations, Co-Chair and Senior Ranking Member; Commerce; Commerce, Subcommittee on Public Utilities; Congressional Redistricting; Insurance; Insurance, Subcommittee on Health; Judiciary I; Technology; Transportation.	
CONFeree: H.B. 115 (Chair).....	1791.
CONFeree: S.B. 352 (Chair)	1141.
EXCUSED ABSENCES.....	1006, 1602.
OATH.....	18.
SECONDS ADJOURNMENT	1167, 1700.

HOSPITALS - see HEALTH CARE FACILITIES AND SERVICES**HOUSE OF REPRESENTATIVES - see GENERAL ASSEMBLY****HOUSE RESOLUTIONS - see RESOLUTIONS, HOUSE (Simple)****HOUSE RULES - see RULES, HOUSE OF REPRESENTATIVES****HOUSING AUTHORITIES AND PROJECTS (G.S. 157)**

H 1064 HOUSING AUTHORITY AMENDMENTS (Ch. SL 97-0473)	606, 754, 840, 1531, 1641, 1660, 1670.
S 343 HOUSING AUTHORITY DUTIES (Ch. SL 97-0455)	360, 1600, 1667, 1683, 1697, 1729, 1733, 1755, 1794.

HOUSING FINANCE AGENCY, N.C. (G.S. 122A)

H 401 RAISE HOUSING FINANCE AGENCY BOND LIMIT (Finance) (S 289)	204, 371.
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HOUSING FINANCE AGENCY-Contd.

S	289	RAISE HOUSING FINANCE AGENCY BOND LIMIT (Ch. SL 97-0013) (H 401).....	406, 425, 437, 453, 455, 458.
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HOUSING TRUST AND OIL OVERCHARGE ACT, N.C. (G.S. 122E)

H	464	ENHANCE CHILD CARE (Human Resources).....	237, 689.
S	929	ENHANCE CHILD CARE (Ch. SL 97-0506)	797, 1600, 1662, 1695, 1714, 1734, 1796.

HOWARD, JULIA C.

		APPROVAL OF VOTE CHANGE ON S.B. 513.....	1081.
		BILLS INTRODUCED - *18, *77, 140, 158, 159, 170, 172, 318, 327, 345, *413, *431, 478, 499, 501, 511, 518, 527, 536, 554, 555, 610, *621, *622, *623, 665, 672, 704, 716, *737, 739, 770, *796, 813, 869, 871, *899, 902, 906, 914, 916, 928, 929, 933, 940, *946, 951, *964, 976, 1010, 1064, 1067, 1070, 1096, 1115, 1116, 1155, 1162, 1189, 1195, 1206, *1234.	
		COMMITTEE ASSIGNMENTS - Ethics, Chair; Finance; Human Resources, Co-Chair; UNC Board of Governors; Welfare Reform; Ex Officio Member of all Committees.	
		CONFEREE: H.B. 431 (Chair).....	1650.
		CONFEREE: H.B. 515	1483.
		CONFEREE: S.B. 352.....	1141.
		EXCUSED ABSENCE.....	1702.
		MAJORITY WHIP	39.
		OATH.....	18.
		SECONDS ADJOURNMENT	304.
		SECONDS NOMINATION OF REPRESENTATIVE C. ROBERT BRAWLEY AS SPEAKER PRO TEMPORE	31.

HUNT, JAMES B., JR. - GOVERNOR OF NORTH CAROLINA

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HUNTER, HOWARD J., JR.

	BILLS INTRODUCED - 2, 12, 16, 73, 74, 80, 83, *99, *100, 108, 109, 110, 151, 152, 153, 154, 155, 180, 223, 248, 259, 271, 272, *278, *279, 288, 297, *302, 304, 308, 312, 351, 352, *367, 368, 405, 411, 424, *503, *504, *505, *506, 519, 527, 540, 544, 550, 551, 552, 560, 561, 562, 563, 591, *651, 672, 703, 709, 735, 757, *805, 813, *827, 883, 905, 906, 916, 918, *944, 951, 1014, 1058, *1060,
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HUNTER, HOWARD J., JR.-Contd.

1064, 1069, 1084, 1085, 1115, 1116, 1129, 1154, 1155, 1172,
 *1178, *1179, 1186, 1195, 1218, 1223, 1230, *1231.

COMMITTEE ASSIGNMENTS - Agriculture; Appropriations;
 Appropriations, Subcommittee on Natural and Economic Resources;
 Human Resources; Human Resources, Subcommittee on Aging;
 Transportation; Welfare Reform, Ranking Minority Member.

CONFERE: H.B. 515 1483.

CONFERE: S.B. 993 1288.

ESCORT FOR REVEREND BILLY GRAHAM 853.

ESCORT FOR UNITED STATES SENATOR

JESSE A. HELMS 1027.

EXCUSED VOTE: H.B. 374 271.

EXCUSED VOTE: H.B. 485 716, 744.

OATH 18.

SECONDS ADJOURNMENT 1396, 1458, 1485.

HUNTER, ROBERT C.

APPROVAL OF VOTE CHANGE ON S.B. 442 1185.

BILLS INTRODUCED - 111, *191, *192, *193, 204, 217, 218, 220,
 221, 222, 312, 336, 343, 347, 351, 353, 354, 355, 374, 406, 432,
 465, 478, 501, *507, 519, 563, 575, 584, 610, 665, 711, 739, 746,
 770, 813, *831, *873, *893, 906, 907, 911, *947, 960, 975, 1014,
 1088, 1091, 1093, 1096, *1132, *1139, *1140, 1154, 1155, *1158,
 1168, 1171, 1173, 1177, 1180, 1182, 1183, 1195, 1210, *1214,
 1218, 1220, 1222, 1227.

COMMITTEE ASSIGNMENTS - Commerce; Commerce, Subcommittee
 on Financial Institutions; Congressional Redistricting; Finance;
 Judiciary I; Ways and Means.

CONFERE: H.B. 1140 1154.

CONFERE: S.B. 316 1004.

EXCUSED ABSENCES 91, 228, 590, 1068, 1188, 1602, 1653.

EXCUSED VOTE: H.B. 474 503.

OATH 18.

HURLEY, JOHN W.

BILLS INTRODUCED - 3, 12, 53, 54, 55, 259, 297, 314, *339, 344,
 347, 351, 406, 424, 43 2, 454, *475, *476, 478, 481, 512, 513,
 519, 527, 536, 537, 546, 554, 555, 560, 561, 563, 564, 575, 638,
 640, 667, 668, 701, 704, 739, 743, 746, 767, 770, 796, 813, 816,
 863, 878, 905, 906, 907, 918, 926, 929, *939, 943, 963, 964, 986,
 987, 1010, 1014, *1024, *1025, 1061, 1064, 1069, 1072, 1084,
 1115, 1116, 1154, 1155, 1180, 1191, 1195, 1218, 1224, 1225,
 1231, 1236, 1240.

HURLEY, JOHN W.-Contd.

COMMITTEE ASSIGNMENTS - Appropriations; Appropriations, Subcommittee on Human Resources; Commerce; Commerce, Subcommittee on Public Utilities; Insurance, Ranking Minority Member; Judiciary I; Local and Regional Government I.

CONFeree: S.B. 993 1288.

EXCUSED ABSENCES 44, 48, 52, 57, 70, 85, 91, 1529.

OATH 18.

HYDE COUNTY

H 452 BEACH PLAN AMENDMENTS
(Ch. SL 97-0498) (Included Ch. SL 97-0483) 234,
632, 685, 1271, 1720, 1761, 1797.

H 720 HYDE LOCAL ACT
(Rules, Calendar & Operations of the House) 413.

H 723 HYDE LOCAL ACT
(Rules, Calendar & Operations of the House) 413.

H 726 HYDE LOCAL ACT
(Rules, Calendar & Operations of the House) 414.

H 728 HYDE LOCAL ACT
(Rules, Calendar & Operations of the House) 414.

H 718 TAKING OF FOXES AND RACCOONS
(Ch. SL 97-0132) 413, 578, 627, 1078, 1089.

S 58 UNLAWFUL TO REMOVE DOG COLLARS
(Ch. SL 97-0150) 153, 992, 1017, 1050,
1064, 1074, 1099, 1109.

-I-

INDIANS (G.S. 71A)

H 972 HALIWA NAME CHANGE
(Senate) (S 1074) 562, 654, 719.

S 1074 HALIWA NAME CHANGE
(Ch. SL 97-0293) (H 972) 742, 1231,
1265, 1268, 1356.

H 988 RESTORE PERSON INDIAN RECOGNITION
(Ch. SL 97-0147) 582, 695, 817, 1007, 1109.

INDUSTRIAL AND POLLUTION CONTROL FACILITIES**FINANCING ACT (G.S. 159C)**

S 730 INDUSTRIAL REVENUE BOND CHANGES
(Ch. SL 97-0463) 1180, 1346, 1531,
1630, 1650, 1654.

INDUSTRIAL AND POLLUTION CONTROL-Contd.**H 474 INDUSTRIAL REVENUE BONDS**

(Ch. SL 97-0111) 238, 424, 503, 1007, 1070.

INSKO, VERLA C.**APPROVAL OF VOTE CHANGE ON****AMENDMENT NO. 5 OF S.B. 297** 1294.**BILLS INTRODUCED** - 2, 126, 127, 147, 151, 152, 153, 248, 308, 312, 351, *399, 424, *543, 554, 555, 561, 563, 564, 575, 581, 592, 611, 613, 641, *758, *759, *760, *761, *762, 813, 871, 902, 906, 907, 909, 911, 914, 917, *921, *922, 929, 941, 943, 975, 979, *985, 1010, 1014, 1029, 1053, 1080, 1085, 1088, 1115, 1116, 1129, 1139, *1147, 1154, 1155, 1168, 1169, 1177, 1182, *1185, *1203, 1210, 1218, 1223, 1224, 1230, 1231.**COMMITTEE ASSIGNMENTS** - Appropriations; Appropriations, Subcommittee on Capital and Budget; Education; Education, Subcommittee on Preschool, Elementary and Secondary Education; Election Law and Campaign Reform; Human Resources; Human Resources, Subcommittee on Families; Public Employees.**ESCORT FOR COACH DEAN SMITH** 1509.**EXCUSED ABSENCE** 1539.**OATH** 18.**OFFERS PRAYER** 521.**INSPECTION AND LICENSING OF FACILITIES (G.S. 131D)****H 115 1997 TECHNICAL CORRECTIONS**

(Ch. SL 97-0456) 88, 523, 567, 625, 1790, 1791, 1802, 1803, 1805, 1816.

H 143 ADULT CARE HOMES ANNUAL REPORTING**REQUIREMENT** (Ch. SL 97-0073) 95, 202, 249, 546, 913, 928, 944, 1009.**H 110 ADULT CARE/NURSING HOMES PENALTIES**

(Calendar Pursuant Rule 36(a))

(S 53) 87, 229, 441, 593.

H 185 AMEND FAMILY CARE HOME REPORTING

(Human Resources - Families) 107, 229.

H 1219 ASSISTED LIVING ADMINISTRATORS

(Rules, Calendar & Operations of the House) 849.

S 876 CRIMINAL CHECKS/CONTRACT AGENCIES

(Ch. SL 97-0125) 804, 933, 975, 987, 1071.

H 1091 CRIMINAL RECORD CHECK BY PRIVATE**BUSINESS** (Senate) 612, 700, 762, 840.

INSPECTION AND LICENSING-Contd.

H	493	CURRENT OPERATIONS APPROPRIATIONS ACT (Appropriations) (S 352).....	242.
S	352	CURRENT OPERATIONS APPROPRIATIONS ACT (Ch. SL 97-0443) (H 493).....	688, 1073, 1080, 1095, 1101, 1124, 1141, 1723, 1725, 1729, 1748.
S	1023	FAMILY FOSTER HOME STANDARDS (Ch. SL 97-0110)	825, 933, 984, 991, 1070.
H	186	FOSTER CARE CRIMINAL CHECK CORRECTION (Senate) (S 207)	107, 230, 307, 352, 361.
S	207	FOSTER CARE CRIMINAL CHECK CORRECTION (Ch. SL 97-0140) (H 186).....	485, 988, 1022, 1024, 1108.
S	332	FOSTER CARE TRAINING (Human Resources).....	485.
S	851	LIMIT PROVISIONAL LICENSE (Ch. SL 97-0522)	852, 1674, 1779, 1780, 1810.
H	897	NURSING/REST HOME ADVISORY COMMITTEE APPOINTMENTS (Ch. SL 97-0176)	484, 594, 761, 794, 816, 835, 1068, 1160.
S	53	PENALTIES FOR ADULT CARE/NURSING HOMES (Ch. SL 97-0431) (H 110).....	765, 1411, 1533, 1548, 1690.
S	1015	WELFARE REFORM ACT OF 1997 (Appropriations).....	853, 1037.

INSURANCE (G.S. 58)

H	115	1997 TECHNICAL CORRECTIONS (Ch. SL 97-0456)	88, 523, 567, 625, 1790, 1791, 1802, 1803, 1805, 1816.
H	584	ATTEMPTING TO ELUDE ARREST (Senate)	348, 365, 661, 687, 717, 722.
H	452	BEACH PLAN AMENDMENTS (Ch. SL 97-0498) (Included Ch. SL 97-0483)	234, 632, 685, 1271, 1720, 1761, 1797.
H	914	BONE MASS MEASUREMENT/COVERAGE (Insurance)	516.
H	1062	CHILD SUPPORT/HEALTH COVERAGE (Senate)	605, 760, 820.
H	1115	CHURCH INSURANCE COVERAGE (Ch. SL 97-0438)	617, 703, 779, 1553, 1583, 1612, 1618.

INSURANCE-Contd.

H	1131	COLLECTION AGENCY DEFINITION (Commerce)	621.
S	785	DIRECT PAYMENT SUNSETS OFF (Ch. SL 97-0197)	741, 961, 1066, 1130, 1133, 1198.
H	562	DIRECT PAYMENT/SUBSTANCE ABUSE PROFESSIONALS (Insurance) (S 1016)	336.
S	1016	DIRECT PAYMENTS/SUBSTANCE ABUSE PROFESSIONALS (Insurance - Health) (H 562)	825, 961.
H	141	EMBEZZLEMENT/INCREASE PENALTY (Senate)	95, 157, 257.
H	1052	EXCLUDE EXCESS COVERAGE/COVENANTS (Ch. SL 97-0396)	603, 673, 721, 1368, 1410, 1496, 1514, 1518, 1603.
H	1223	FAMILY HEALTH CARE PROGRAM (Insurance - Health)	850, 1246.
H	434	FEDERAL HEALTH INSURANCE CHANGES (Ch. SL 97-0259)	231, 672, 725, 745, 1210, 1246, 1257, 1267, 1299.
H	264	FIRE/RESCUE OPEN ENROLLMENT (Appropriations)	127, 265.
H	1024	FOREIGN INSURER LICENSING (Ch. SL 97-0179)	599, 673, 721, 1043, 1063, 1068, 1160.
H	350	GENETIC INFORMATION/NO DISCRIMINATION (Insurance) (S 254)	170.
S	254	GENETIC INFORMATION/NO DISCRIMINATION (Ch. SL 97-0350) (H 350)	529, 961, 1225, 1314, 1370, 1426, 1506.
S	797	HEALTH AND LIFE INSURANCE AMENDMENTS (Rules, Calendar & Operations of the House)	804.
H	1105	HEALTH CONTRACT PLANS (Rules, Calendar & Operations of the House)	615.
H	5	HEALTH COVERAGE/DIABETES (Ch. SL 97-0225)	42, 444, 760, 820, 1138, 1152, 1158, 1249.
S	933	HEALTH INSURANCE/COVERAGE AND NETWORKS (Rules, Calendar & Operations of the House)	1237.
H	803	HEALTH INSURANCE/RISK POOL (Insurance)	451.

INSURANCE-Contd.

S	973	HEALTH MAINTENANCE ORGANIZATION INFORMATION (Ch. SL 97-0480).....	852, 1571, 1615, 1648, 1687.
H	682	HOME CARE/PHARMACY SERVICES (Human Resources - Families).....	400, 593.
H	541	IMPROVE HEALTH MAINTENANCE ORGANIZATION SERVICES (Insurance) (S 455).....	323.
S	455	IMPROVE HEALTH MAINTENANCE ORGANIZATION SERVICES (Ch. SL 97-0474) (H 541).....	822, 961, 1226, 1314, 1338, 1404, 1461, 1546, 1557, 1673.
S	234	INCREASE AMOUNTS FOR INSURANCE POINTS (Ch. SL 97-0332)	350, 1284, 1369, 1384, 1470.
H	347	INCREASE FIRE/RESCUE BENEFITS (Pensions & Retirement)	170.
H	126	INCREASE PENSION BENEFITS (Appropriations)	91, 218.
S	613	INSURANCE COMPANY AUDITS AND EXAMS (Rules, Calendar & Operations of the House).....	926.
S	611	INSURANCE FRONTING (Rules, Calendar & Operations of the House).....	803.
S	614	INSURANCE LICENSING AMENDMENTS (Rules, Calendar & Operations of the House).....	709.
S	577	INSURANCE PREMIUM FINANCING (Insurance)	803.
S	727	INSURANCE REGULATORY CHARGE (Ch. SL 97-0475) (Included Ch. SL 97-0443)	625, 1012, 1038, 1052, 1054, 1064, 1598, 1606, 1616, 1625, 1642, 1707, 1714.
H	1020	INSURANCE SETTLEMENTS (Insurance)	598.
S	843	INSURANCE TECHNICAL CHANGES (Returned to Senate for Concurrence).....	787, 1605, 1725, 1773, 1775, 1791, 1792.
S	612	INSURER FINANCIAL OPERATIONS (Rules, Calendar & Operations of the House).....	624.
H	106	INTERSTATE AUDITORS/REGULATORY FUND (Appropriations) (Included Ch. SL 97-0443).....	86, 156, 193.
S	935	MANAGED CARE/UTILIZATION AND GRIEVANCE (Rules, Calendar & Operations of the House)....	1221.

INSURANCE-Contd.

S	273	MASTECTOMY/HOSPITAL STAY (Ch. SL 97-0440)	325, 365, 1538, 1541, 1592, 1637.
S	993	MEDICAL SERVICE CORPORATION CONVERSIONS (Conference Committee) (Included Ch. SL 97-0483)	824, 1039, 1057, 1086, 1118, 1243, 1288, 1304.
H	563	MENTAL HEALTH PARITY (Insurance) (S 400).....	336.
S	400	MENTAL HEALTH PARITY (Insurance - Health) (H 563).....	822, 961.
H	193	NO INSURANCE POINTS/15 MPH OVER LIMIT (Calendar Pursuant Rule 36(a)).....	108, 728, 761.
H	983	NORTH CAROLINA RAILROAD ACQUISITION (Appropriations) (Included Ch. SL 97-0443).....	581.
S	320	NURSES' TRAINING (Ch. SL 97-0375)	586, 1080, 1146, 1177, 1292, 1295, 1325, 1373, 1444, 1486, 1550.
S	934	PREFERRED PROVIDER AMENDMENTS (Rules, Calendar & Operations of the House)....	1237.
H	926	PREFERRED PROVIDER CONTRACTS (Senate)	525, 673, 721, 745.
S	515	PRELITIGATION INSURANCE INFORMATION/ MEDIATION (Insurance).....	676.
H	796	PRESCRIPTION DRUGS/COMPETITION (Insurance) (Included Ch. SL 97-0483) (S 866) ..	450.
S	866	PRESCRIPTION DRUGS/COMPETITION (Insurance - Health) (Included Ch. SL 97-0483) (H 796).....	823, 1039.
H	813	RECONSTRUCTIVE SURGERY/COVERAGE (Appropriations).....	460, 735.
S	714	RECONSTRUCTIVE SURGERY/COVERAGE (Ch. SL 97-0312)	786, 955, 1252, 1319, 1340, 1415.
S	79	REPEAL MORE ANTIQUATED LAWS (Ch. SL 97-0014)	182, 264, 364, 371, 458.
H	1119	REVISE COASTAL INSURANCE COVERAGE (Rules, Calendar & Operations of the House) (Included Ch. SL 97-0483)	618.
H	522	STATE FIRE AND RESCUE COMMISSION (Ch. SL 97-0116)	298, 653, 687, 968, 1070.

INSURANCE-Contd.

- S 932 STRENGTHEN MANAGED CARE REGULATIONS
(Ch. SL 97-0519) 1221, 1773, 1776, 1779, 1811.
- S 350 SUPPLEMENTAL INSURANCE BENEFITS
(Human Resources)..... 432.
- H 987 VENTURE CAPITAL INVESTMENT INCENTIVE
(Finance) 582, 665.
- H 923 WINDSTORM DEDUCTIBLES
(Insurance) 517.
- S 975 WORKERS' COMPENSATION SELF-INSURANCE
(Ch. SL 97-0362) 801, 1285, 1463, 1468, 1548.

INTEREST (G.S. 24)

- S 565 VARIABLE RATE LOANS
(Conference Committee)..... 803, 1331, 1412, 1461,
1559, 1569, 1593, 1614, 1634.

INTESTATE SUCCESSION (G.S. 29)

- H 908 MODIFY RIGHTS OF DECEDENT'S SPOUSE
(Senate) (Included Ch. SL 97-0483).... 514, 691, 776.

INVESTMENT ADVISERS (G.S. 78C)

- H 466 SECURITIES/INVESTMENT ADVISERS
(Judiciary II) (S 439)..... 237, 1005, 1043, 1093.
- S 439 SECURITIES/INVESTMENT ADVISERS
(Ch. SL 97-0419) (H 466)..... 1079, 1447, 1530,
1564, 1578, 1637, 1688.
- S 438 SECURITIES/INVESTMENT ADVISERS
ENFORCEMENT (Ch. SL 97-0462)..... 529, 1296,
1447, 1647, 1654.

IREDELL COUNTY

- H 697 IREDELL COUNTY LOCAL ACT
(Rules, Calendar & Operations of the House)..... 403.
- H 698 LOCAL ANNEXATIONS
(Ch. SL 97-0219) 403, 750, 795, 871, 890, 904,
1180, 1191, 1204, 1210, 1214.
- H 437 PILOT MOUNTAIN RECREATION/LOCAL TREE
REGULATION (Ch. SL 97-0420)..... 232, 772,
835, 1321, 1582, 1610, 1621,
1651, 1659, 1671, 1673, 1688.
- H 508 UPPER CATAWBA RIVER/PERSONAL
WATERCRAFT (Ch. SL 97-0129)..... 267, 443, 478,
1043, 1063, 1069, 1079.

IREDELL COUNTY-Contd.

H 656 WATERSHED EXEMPTION/ANNEXATION
(Senate) 390, 570, 579, 647, 680, 713.

IVES, WILLIAM M.

BILLS INTRODUCED - 10, 12, 13, 15, 22, 24, 47, 51, *62, 91, *95,
131, 139, 140, 171, *176, 248, 267, 351, 389, *408, 432, 478,
*483, 489, 525, 527, 536, *549, 554, 610, *635, 665, 667, 672,
*684, 687, 704, 716, 736, 739, *745, 746, 769, 770, *794, 813,
857, 858, 869, 905, 906, 919, 929, 930, 941, 964, 973, 975, 981,
985, 986, 987, *995, 1006, 1014, 1070, 1092, 1093, 1128, 1155,
1171, 1173, 1177, 1195, *1196.

COMMITTEE ASSIGNMENTS - Appropriations; Appropriations,
Subcommittee on Capital and Budget; Appropriations, Subcommittee
on General Government, Co-Chair; Commerce; Commerce,
Subcommittee on Public Utilities; Education; Education,
Subcommittee on Universities; Human Resources; Human Resources,
Subcommittee on Families, Chair; Insurance; Insurance,
Subcommittee on Health; State Government; State Government,
Subcommittee on State Parks, Facilities and Property.

CONFeree: S.B. 352 1141.
ESCORT FOR REVEREND BILLY GRAHAM 853.
EXCUSED ABSENCES 134, 409, 1068.
OATH 18.

-J-

JACKSON COUNTY

H 650 53RD HOUSE DISTRICT LOCAL ACT
(Rules, Calendar & Operations of the House) 389.
H 649 ABOLISH CHEROKEE CORONER
(Ch. SL 97-0049) 389, 689, 715, 920, 923.
H 750 CHARTER OF FOREST HILLS
(Ch. SL 97-0345) 428, 570, 736, 758, 855,
877, 1472, 1482, 1487, 1495.
H 105 JACKSON COUNTY AIRPORT AUTHORITY
(Ch. SL 97-0022) 73, 159, 205,
217, 244, 255, 522, 540.

JARRELL, MARY L.

APPROVAL OF VOTE CHANGE ON
AMENDMENT NO. 15 OF S.B. 352 1095.

JARRELL, MARY L.-Contd.

BILLS INTRODUCED - 5, 32, 83, 152, 153, 154, 156, 230, 248, 288, 308, 312, 343, 347, 351, 358, *371, *390, *391, *394, 399, 406, 424, 479, 480, 481, 490, 519, 527, 560, 564, 575, *584, 598, 739, 746, 768, 770, 813, 814, 849, 864, 883, 906, 908, 909, 911, 913, 929, *933, 943, 964, 975, 977, 978, 979, 1010, 1014, 1019, 1058, 1064, 1069, 1070, 1072, 1088, 1096, 1115, 1116, 1128, 1154, 1155, 1167, 1168, 1169, 1172, 1173, 1177, 1180, 1182, 1183, 1195, 1210, 1211, 1230.

COMMITTEE ASSIGNMENTS - Election Law and Campaign Reform; Finance; Local and Regional Government II; Ways and Means.

OATH 18.

OFFERS PRAYER 590.

JEFFUS, MAGGIE

APPROVAL OF VOTE CHANGE ON H.B. 1097 1083.

APPROVAL OF VOTE CHANGE ON S.B. 595 1782.

BILLS INTRODUCED - 32, 33, 108, 109, 153, 154, 155, 156, 171, 223, *230, 248, 288, 295, 312, 330, 343, 351, 358, 374, 390, 391, *394, 399, 406, 432, 448, 449, 450, 451, 462, 478, 479, 480, 481, 482, 490, 491, 507, 512, 519, 527, 554, 555, 556, 557, 560, 561, 562, 563, 564, 575, 591, 598, *638, 665, 672, 711, 768, 770, 796, 813, 814, 847, 848, 849, 857, 858, 864, 871, 880, 883, 902, 906, 908, 909, *911, 914, 929, 939, 941, 943, 964, 973, *977, *978, *979, 1014, 1016, 1029, 1058, 1069, 1070, 1072, 1115, 1154, 1155, 1167, 1168, 1169, 1172, 1173, 1177, 1180, 1182, 1183, 1195, 1210, 1211, 1218, 1220, 1221, 1222, 1223, 1224.

COMMITTEE ASSIGNMENTS - Appropriations; Appropriations, Subcommittee on General Government; Judiciary I; Local and Regional Government II; Public Employees; Welfare Reform.

CONFEREE: H.B. 1140 1154.

OATH 18.

OFFERS PRAYER 125.

SECONDS ADJOURNMENT 693.

JOHNSON, SUSAN M.

APPOINTMENT AND OATH AS READING CLERK 38.

JOHNSTON COUNTY

H 740 EXPEDITE JOHNSTON SCHOOL CONSTRUCTION
(Ch. SL 97-0037) 416, 578, 628, 637, 666, 694.

H 793 JOHNSTON LOCAL ACT
(Rules, Calendar & Operations of the House) 450.

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H	387	JOHNSTON SCHOOL BOARD ELECTIONS (Rules, Calendar & Operations of the House) (S 291).....	190, 368, 406, 418, 434, 454, 477, 487, 500, 627.
S	291	JOHNSTON SCHOOL BOARD ELECTIONS (Ch. SL 97-0032) (H 387).....	326, 444, 487, 500, 627, 630, 643.
S	594	LOCAL SALES TAX FOR SCHOOLS (Rules, Calendar & Operations of the House)....	1750.
H	590	WILSON'S MILLS CHARTER (Ch. SL 97-0413)	349, 424, 483, 510, 533, 549, 1655, 1688.

JOINT RESOLUTIONS - see RESOLUTIONS, JOINT**JOINT SESSIONS**

CLINTON, WILLIAM J., ADDRESS BY PRESIDENT	276.
FRANKLIN, DR. JOHN HOPE, ADDRESSES JOINT SESSION	1437.
GRAHAM, BILLY, ADDRESS BY REVEREND	858.
HELMS, JESSE A., ADDRESS BY UNITED STATES SENATOR.....	1028.
HUNT, JAMES B., JR., ADDRESS BY GOVERNOR.....	75.
MITCHELL, BURLEY B., JR., ADDRESS BY CHIEF JUSTICE.....	206.
STATE BOARD OF EDUCATION, CONFIRMATION OF GOVERNOR'S APPOINTEES TO....	1381.

JONES COUNTY

H	452	BEACH PLAN AMENDMENTS (Ch. SL 97-0498) (Included Ch. SL 97-0483)	234, 632, 685, 1271, 1720, 1761, 1797.
H	606	JONES LOCAL ACT (Rules, Calendar & Operations of the House).....	359.

JUDGES - see JUDICIAL DEPARTMENT**JUDICIAL DEPARTMENT (G.S. 7A)**

H	115	1997 TECHNICAL CORRECTIONS (Ch. SL 97-0456)	88, 523, 567, 625, 1790, 1791, 1802, 1803, 1805, 1816.
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JUDICIAL DEPARTMENT-Contd.

H	261	ADMINISTRATIVE PROCEDURE ACT TECHNICAL CHANGES (Judiciary I) (S 187)	124.
S	187	ADMINISTRATIVE PROCEDURE ACT TECHNICAL CHANGES (Ch. SL 97-0034) (H 261)	299, 458, 506, 520, 522, 667.
H	873	AGE OF UNDISCIPLINED JUVENILES (Senate)	471, 697, 837.
H	1114	BAD CHECK COLLECTIONS PILOT (Senate)	617, 1067, 1377, 1454, 1465.
H	152	CHILD ABUSE/REPORT PENALTY (Judiciary II) (S 228)	97, 574.
S	228	CHILD ABUSE/REPORT PENALTY (Judiciary II) (H 152)	786.
H	151	CHILD FATALITY TASK FORCE CONFIDENTIAL RECORDS (Judiciary II)	97, 262.
H	896	CHILD WELFARE CHANGES (Ch. SL 97-0390)	484, 593, 669, 720, 722, 745, 769, 1499, 1516, 1524, 1529, 1599.
H	212	CLARIFY COMMUNITY-BASED CORRECTIONS (Senate)	112, 346, 377.
S	16	CLARIFY COMMUNITY-BASED CORRECTIONS (Ch. SL 97-0057)	392, 868, 895, 898, 959.
S	132	CLERKS/YEAR'S ALLOWANCE (Ch. SL 97-0310)	675, 869, 1217, 1276, 1290, 1328, 1414.
H	218	CONFORM WITNESS TRAVEL FEES (Appropriations)	114, 185.
H	220	COURT INFORMATION REMOTE ACCESS (Judiciary II) (S 855)	114.
S	855	COURT INFORMATION REMOTE ACCESS (Ch. SL 97-0199) (H 220)	787, 1037, 1129, 1133, 1198.
H	192	COURTS COMMISSION MEMBERSHIP (Ch. SL 97-0082)	108, 227, 363, 947, 1010.
H	665	CRIME VICTIMS' RIGHTS ACT (Approp - Justice & Public Safety) (Included Ch. SL 97-0483)	392, 1215, 1345, 1374, 1428, 1509.
H	153	DEPENDENT JUVENILE DEFINITION (Ch. SL 97-0113)	97, 229, 307, 328, 957, 1070.
H	268	DIVIDE DISTRICT 22 (Judiciary I)	128.

JUDICIAL DEPARTMENT-Contd.

H	528	DIVIDE DISTRICT COURT/PROSECUTORIAL DISTRICT 30 (Judiciary II).....	310.
H	464	ENHANCE CHILD CARE (Human Resources).....	237, 689.
S	929	ENHANCE CHILD CARE (Ch. SL 97-0506)	797, 1600, 1662, 1695, 1714, 1734, 1796.
H	204	FORECLOSURE FILING FEES (Ch. SL 97-0114) (Included Ch. SL 97-0443)	111, 130, 308, 362, 376, 957, 1070.
H	949	IMPROVE CHILD PROTECTION/RECORDS (Ch. SL 97-0459)	544, 749, 1416, 1488, 1508, 1533, 1602.
H	1076	INFRACTIONS TO MAGISTRATES (Judiciary I)	609.
H	1145	JUDICIAL RETENTION (Election Law & Campaign Reform)	624.
S	800	JUDICIAL STANDARDS EXECUTIVE SECRETARY (Ch. SL 97-0072)	766, 885, 927, 944, 1008.
S	346	JUVENILE GUARDIANS (Human Resources)	546.
H	89	JUVENILE PROBATION/SCHOOL NOTIFICATION (Senate)	69, 228, 259, 260, 261.
H	907	MEDIATED SETTLEMENT/FAMILY ISSUES (Ch. SL 97-0229)	514, 633, 723, 743, 1139, 1153, 1159, 1249.
H	1215	OFFICE OF ADMINISTRATIVE HEARINGS INJUNCTIVE RELIEF/POSITIONS (Appropriations)	848.
H	1122	OMNIBUS COURT CHANGES (Ch. SL 97-0304)	619, 754, 819, 1334, 1343, 1348, 1350, 1354, 1398.
S	515	PRELITIGATION INSURANCE INFORMATION/ MEDIATION (Insurance)	676.
H	615	PUBLIC DEFENDER/DISTRICT 16B (Ch. SL 97-0175)	372, 577, 639, 1068, 1160.
H	1042	PUBLICATION OF APPELLATE DECISIONS (Judiciary I)	602.
H	217	RESTITUTION/CIVIL JUDGMENT (Judiciary II)	113.
H	512	SCHOOL SAFETY ACT (Approp - Education)	274, 345, 873.

JUDICIAL DEPARTMENT-Contd.

S	725	STATE EMPLOYEE INCENTIVE BONUS (Ch. SL 97-0513)	803, 1641, 1668, 1685, 1698, 1723, 1731, 1759, 1796.
H	175	STRUCTURED SENTENCING/TECHNICAL AND CLARIFYING AMENDMENTS (Ch. SL 97-0080)	104, 458, 505, 947, 1009.
H	954	SUPREME COURT SESSIONS (Ch. SL 97-0056)	545, 644, 718, 898, 959.
H	7	TERM LIMITS/LEGISLATURE/CONFORM (Election Law & Campaign Reform)	43.
H	355	WAIVER OF RECORDING/DISTRICT COURT (Reported Unfavorable)	171, 218.
H	480	WOMENWORK FUND (Approp - General Government) (S 475)	240, 663, 1201, 1349, 1364, 1374.
S	475	WOMENWORK FUND (Appropriations) (H 480)	1237, 1296, 1558.

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H	1219	ASSISTED LIVING ADMINISTRATORS (Rules, Calendar & Operations of the House)	849.
S	1073	AUCTIONEER AMENDMENTS (Rules, Calendar & Operations of the House)	1402.
S	924	CRIMINAL RECORD CHECKS/DEPARTMENT OF HUMAN RESOURCES (Ch. SL 97-0260) ...	852, 1100, 1182, 1194, 1227, 1299.
H	464	ENHANCE CHILD CARE (Human Resources)	237, 689.
S	929	ENHANCE CHILD CARE (Ch. SL 97-0506)	797, 1600, 1662, 1695, 1714, 1734, 1796.
H	1124	FIRE/RESCUE PERSONNEL RECORDS CHECKS (Senate)	619, 733, 837.
H	186	FOSTER CARE CRIMINAL CHECK CORRECTION (Senate) (S 207)	107, 230, 307, 352, 361.
S	207	FOSTER CARE CRIMINAL CHECK CORRECTION (Ch. SL 97-0140) (H 186)	485, 988, 1022, 1024, 1108.

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COMMITTEE ASSIGNMENTS - Appropriations; Appropriations, Subcommittee on Justice and Public Safety, Co-Chair; Commerce; Commerce, Subcommittee on Financial Institutions; Congressional Redistricting; Election Law and Campaign Reform, Co-Chair; Judiciary I; Pensions and Retirement.

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-K-**KINNEY, TED**

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COMMITTEE ASSIGNMENTS - Appropriations; Appropriations, Subcommittee on Justice and Public Safety; Education; Education, Subcommittee on Preschool, Elementary and Secondary Education, Ranking Minority Member; Environment; State Government; State Government, Subcommittee on Military, Veterans, and Indian Affairs; Transportation.

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COMMITTEE ASSIGNMENTS - Agriculture; Appropriations; Appropriations, Subcommittee on Capital and Budget; Appropriations, Subcommittee on Justice and Public Safety, Co-Chair; Congressional Redistricting; Election Law and Campaign Reform; Judiciary II, Vice Chair; Local and Regional Government I.

CONFEREE: S.B. 352 1141.

CONFEREE: S.B. 442 1286.

ESCORT FOR SPEAKER 25.

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SECONDS ADJOURNMENT 455, 1246.

-L-**LABOR DEPARTMENT AND REGULATIONS (G.S. 95)**

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H 451 EMPLOYMENT SECURITY COMMISSION

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H 464 ENHANCE CHILD CARE

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S 929 ENHANCE CHILD CARE

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H 350 GENETIC INFORMATION/NO DISCRIMINATION

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S 254 GENETIC INFORMATION/NO DISCRIMINATION

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H	432	NORTH CAROLINA NATIONAL GUARD MOBILIZATION LESSONS (Ch. SL 97-0153)	231, 397, 438, 558, 639, 1099, 1110.
H	424	OCCUPATIONAL SAFETY AND HEALTH ACT WITNESS STATEMENTS (Commerce) (S 791)	222.
S	791	OCCUPATIONAL SAFETY AND HEALTH ACT WITNESS STATEMENTS (Commerce) (H 424)	851.
H	1130	PROTECT HEALTH CARE WHISTLE BLOWERS (Human Resources)	621.
H	343	RAISE MINIMUM WAGE (Commerce)	163.
H	598	REQUIRE WORK BREAKS (Commerce)	357.
H	538	TRUTHFUL EMPLOYMENT REFERENCES (Senate)	322, 343, 631, 659, 684.
H	871	WAGE AND HOUR ACT AMENDMENTS (Ch. SL 97-0146)	471, 690, 747, 1059, 1109.
S	1015	WELFARE REFORM ACT OF 1997 (Appropriations)	853, 1037.
S	872	YOUTH WORKERS AT ALCOHOLIC BEVERAGE CONTROL PERMITTEES (Commerce)	802.

LANDFILLS - see PUBLIC HEALTH**LANDLORD AND TENANT (G.S. 42)**

H	1071	PAY RENT ARREARS TO STAY EJECTMENT (Senate)	608, 698, 817.
H	234	SMOKE DETECTOR PENALTIES (Judiciary II)	117.

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H	1110	LANDSCAPE ARCHITECTS (Ch. SL 97-0406)	616, 1046, 1345, 1365, 1370, 1540, 1619.
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H	955	ADD NORTH CAROLINA CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION MEMBER (Rules, Calendar & Operations of the House)	545.
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S	409	AIRPORT LAW ENFORCEMENT (Ch. SL 97-0143)	802, 933, 985, 1025, 1109.
S	897	AMEND ELECTRIC SURVEILLANCE LAW (Ch. SL 97-0435)	796, 1178, 1576, 1617.
H	1111	AMEND LAW ENFORCEMENT OFFICER RETIREMENT DEFINITION (Rules, Calendar & Operations of the House).....	616, 735, 805.
S	673	AMEND LAW ENFORCEMENT OFFICER RETIREMENT DEFINITION (Ch. SL 97-0144)	799, 979, 1021, 1025, 1109.
H	427	ASSAULT CORRECTIONS OFFICER (Senate)	222, 542, 568.
H	584	ATTEMPTING TO ELUDE ARREST (Senate)	348, 365, 661, 687, 717, 722.
S	248	BROUGHTON HOSPITAL SECURITY FORCE (Ch. SL 97-0320)	563, 1234, 1363, 1384, 1460.
S	376	CAMPUS LAW ENFORCEMENT (Ch. SL 97-0194)	707, 1080, 1130, 1133, 1198.
S	561	CAMPUS POLICE/CONCEALED HANDGUNS (Ch. SL 97-0441)	824, 1090, 1166, 1195, 1327, 1491, 1496, 1576, 1592, 1615, 1637.
H	492	CAPITAL IMPROVEMENTS APPROPRIATIONS ACT (Appropriations) (S 347)	242.
H	433	CONCEALED HANDGUN EXEMPTION (Ch. SL 97-0274) (S 325)	231, 669, 720, 1203, 1212, 1214, 1313.
S	325	CONCEALED HANDGUN EXEMPTION (Rules, Calendar & Operations of the House) (H 433)	788.
H	958	CONCEALED HANDGUN LAWS AMENDMENTS (Ch. SL 97-0238)	559, 761, 821, 1140, 1154, 1159, 1250.
H	523	CONFISCATED GUN/LAW OFFICER USE (Ch. SL 97-0356)	298, 661, 719, 1419, 1431, 1445, 1507.
S	347	CONTINUING BUDGET AUTHORITY (Ch. SL 97-0401) (H 492)....	1593, 1594, 1601, 1604.
S	473	CONTINUING BUDGET AUTHORITY (Ch. SL 97-0256)	1242, 1253, 1255, 1267, 1270.

LAW ENFORCEMENT-Contd.

S	490	CONTINUING BUDGET AUTHORITY (Ch. SL 97-0418)	1656, 1665, 1669, 1688.
H	665	CRIME VICTIMS' RIGHTS ACT (Approp - Justice & Public Safety) (Included Ch. SL 97-0483)	392, 1215, 1345, 1374, 1428, 1509.
H	493	CURRENT OPERATIONS APPROPRIATIONS ACT (Appropriations) (S 352)	242.
S	352	CURRENT OPERATIONS APPROPRIATIONS ACT (Ch. SL 97-0443) (H 493)	688, 1073, 1080, 1095, 1101, 1124, 1141, 1723, 1725, 1729, 1748.
H	138	DEPARTMENT OF MOTOR VEHICLES ENFORCEMENT AUTHORITY (Judiciary I)	94, 200.
H	1050	DONATION OF UNCLAIMED BICYCLES (Ch. SL 97-0180)	576, 603, 639, 1068, 1160.
H	939	DRUG TAX FOR CRIMESTOPPERS (Approp - Justice & Public Safety)	527, 697, 746, 915, 932, 938.
H	451	EMPLOYMENT SECURITY COMMISSION BENEFITS CHANGES (Finance)	234, 703.
H	42	EXTEND SUNSET FOR CAROLINA TRACE (Ch. SL 97-0294)	52, 150, 165, 1242, 1342, 1347, 1348, 1354, 1367.
H	375	FISHERIES REFORM ACT (Environment)	181.
H	1010	GOVERNMENT USE/SEIZED GUN PARTS (Judiciary I) (S 246)	595.
S	246	GOVERNMENT USE/SEIZED GUN PARTS (Judiciary I) (H 1010)	350.
S	441	HANDGUN FEE REALLOCATION (Ch. SL 97-0470)	1101, 1416, 1450, 1453, 1583, 1615, 1648, 1669.
H	754	ILLICIT LIQUOR TAX (Ch. SL 97-0292) (Included Ch. SL 97-0443)	429, 631, 658, 684, 1283, 1356.
H	221	INITIAL APPEARANCE BY VIDEO (Ch. SL 97-0268)	114, 130, 154, 1179, 1193, 1197, 1313.
S	426	MAGISTRATES TRUCK SPECIAL PLATES (Ch. SL 97-0461)	1013, 1314, 1357, 1408, 1551, 1591, 1613, 1653.

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H	459	NORTH CAROLINA NATIONAL GUARD AUTHORITY (Rules, Calendar & Operations of the House).....	236, 693.
S	96	PAWNSHOP RECORDS ACCESS (Commerce)	452.
S	122	PUBLIC CONTRACTS (Ch. SL 97-0489)	253, 1751, 1776, 1794.
S	853	REVENUE OFFICERS' POLICE POWERS (Ch. SL 97-0503)	1347, 1722, 1724, 1745, 1779, 1782, 1810.
H	930	SEX OFFENDER LAWS/FEDERAL COMPLIANCE (Judiciary II) (S 676).....	526.
S	676	SEX OFFENDER LAWS/FEDERAL COMPLIANCE (Ch. SL 97-0516) (H 930)....	1013, 1178, 1416, 1515, 1535, 1544, 1555, 1563, 1577, 1622, 1774, 1781, 1784, 1815.
H	1078	SHERIFFS' COMMISSION AMENDMENTS (Judiciary II).....	609, 1294.
H	704	SHERIFF'S REGISTRATION PLATES (Ch. SL 97-0158)	404, 425, 577, 886, 909, 917, 1012, 1049, 1059, 1110.
S	815	SPEAKER/PRO TEM APPOINTMENTS (Ch. SL 97-0495)	1718, 1751, 1783, 1790, 1816.
H	616	STANDARDIZE LAW ENFORCEMENT DISCIPLINE (Judiciary I).....	372.
H	122	STATE BUILDING EVACUATION (Ch. SL 97-0112) (S 78)	89, 308, 328, 938, 953, 957, 1070.
S	78	STATE BUILDING EVACUATION (State Government) (H 122).....	392.
H	129	TRANSFER DEPARTMENT OF MOTOR VEHICLES TO CRIME CONTROL AND PUBLIC SAFETY (Rules, Calendar & Operations of the House).....	92.
H	128	TRANSFER STATE CAPITOL POLICE TO CRIME CONTROL AND PUBLIC SAFETY (State Government)	92.
H	1142	TUITION WAIVERS/EMERGENCY WORKERS (Ch. SL 97-0505)	623, 749, 759, 820, 1733, 1762, 1798.

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S	424	ANNEXATION CHANGES (Conference Committee).....	563, 1569, 1642, 1656, 1678, 1697, 1770.
H	637	BROADWAY STAGGERED TERMS (Ch. SL 97-0416)	387, 496, 537, 1670, 1688.
H	120	CAROLINA TRACE INCORPORATED (Local & Regional Government I)	89.
H	806	CONOVER HOUSING CODE (Ch. SL 97-0093) (S 524)	452, 576, 627, 1008, 1041.
S	524	CONOVER HOUSING CODE (Ch. SL 97-0160) (H 806).....	676, 1061, 1082, 1107, 1121.
H	42	EXTEND SUNSET FOR CAROLINA TRACE (Ch. SL 97-0294)	52, 150, 165, 1242, 1342, 1347, 1348, 1354, 1367.
H	855	LEE COMMISSIONERS ELECTIONS (Senate)	467, 670, 715.
H	670	LEE/HARNETT UNCLAIMED BICYCLES (Senate)	398, 496, 534.
H	496	LEE/MUNICIPAL STRUCTURES (Ch. SL 97-0449)	252, 442, 478, 1667, 1720, 1760, 1799.
H	786	LOCAL CHARTERS AMENDED (Ch. SL 97-0452)	448, 571, 589, 1541, 1751, 1774, 1799.
S	321	LOCAL OMNIBUS ACT (Finance)	360, 1507.
H	671	SANFORD CHARTER (Ch. SL 97-0245)	398, 509, 535, 1248, 1269.
S	826	SCHOOL BOARD AND LOCAL CHANGES (Returned to Senate for Concurrence) (H 483)	801, 1461, 1559, 1570, 1590, 1631, 1641, 1693, 1711.

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H	607	LENOIR COUNTY LOCAL ACT (Rules, Calendar & Operations of the House).....	359.
H	834	WILMINGTON/LENOIR WHEEL LOCKS (Ch. SL 97-0218)	464, 650, 832, 1180, 1192, 1197, 1214.

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S	167	60 DAYS TO CHANGE DIVISION OF MOTOR VEHICLE INFORMATION (Ch. SL 97-0122).....	253, 425, 936, 963, 971, 986, 1071.
H	266	ADJUST LICENSE WEIGHT (Ch. SL 97-0036)	127, 332, 354, 522, 667.
S	570	CLEAN WATER LICENSE PLATE (Finance)	1013, 1189.
H	404	CONTINUING BUDGET AUTHORITY (Calendar Pursuant Rule 36(a)).....	204, 1665.
S	463	CONTINUING BUDGET AUTHORITY (Ch. SL 97-0347)	1498, 1501, 1506.
S	473	CONTINUING BUDGET AUTHORITY (Ch. SL 97-0256)	1242, 1253, 1255, 1267, 1270.
S	490	CONTINUING BUDGET AUTHORITY (Ch. SL 97-0418)	1656, 1665, 1669, 1688.
H	1095	DEALER PLATE FOR BUSINESS ONLY (Transportation) (S 1059).....	613.
S	1059	DEALER PLATE FOR BUSINESS ONLY (Ch. SL 97-0335) (H 1095).....	825, 1072, 1136, 1352, 1384, 1470.
H	53	EIGHTY-SECOND AIRBORNE DIVISION PLATES (Ch. SL 97-0156)	54, 156, 396, 510, 552, 565, 1012, 1049, 1059, 1110.
H	518	FIVE-YEAR LICENSE PLATES (Finance)	297, 1072.
H	1143	HANDICAPPED PLATE RECERTIFICATION (Senate)	623, 727, 759, 840.
H	554	LICENSES FOR DISABLED VETERANS (Senate)	334, 653, 719.
S	426	MAGISTRATES TRUCK SPECIAL PLATES (Ch. SL 97-0461)	1013, 1314, 1357, 1408, 1551, 1591, 1613, 1653.
H	1073	MOTOR VEHICLE APPLICATIONS AND FEES FROM DEALERS (Rules, Calendar & Operations of the House).....	608, 727, 886, 931.
S	894	MOTOR VEHICLE FEES FROM DEALERS (Ch. SL 97-0327)	823, 1189, 1325, 1354, 1470.
H	1082	NATIVE AMERICAN SPECIAL PLATES (Senate)	610, 937, 951, 982, 1001, 1018.
H	54	NO ADDITIONAL FEE FOR LEGION OF VALOR/ PEARL HARBOR SURVIVOR (Senate)	55, 979, 1447, 1491.

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H	208	NO FEE FOR MAIL-IN REGISTRATION (Postponed Indefinitely).....	111, 494.
H	973	ON-LINE VEHICLE REGISTRATION PILOT (Appropriations) (Included Ch. SL 97-0483)	562, 914.
H	55	PURPLE HEART/SILVER STAR PLATES (Senate)	55, 294, 396, 523, 553.
H	704	SHERIFF'S REGISTRATION PLATES (Ch. SL 97-0158)	404, 425, 577, 886, 909, 917, 1012, 1049, 1059, 1110.
S	812	SMOKY MOUNTAINS SPECIAL PLATE (Ch. SL 97-0427)	998, 1189, 1531, 1565, 1578, 1581, 1689.
H	1137	SOIL AND WATER CONSERVATION PLATES (Ch. SL 97-0477)	622, 734, 951, 983, 1002, 1018, 1681, 1693, 1703.
H	1156	SPECIAL LICENSE PLATES (Ch. SL 97-0484)	674, 937, 951, 983, 1003, 1019, 1699, 1709, 1710, 1715, 1728, 1733, 1753, 1772, 1798.
H	178	TWO-YEAR DRIVER INSTRUCTOR LICENSE (Ch. SL 97-0033)	105, 201, 307, 327, 341, 551, 667.
H	299	VIETNAM VETERANS PLATES (Ch. SL 97-0339)	143, 426, 591, 638, 656, 1368, 1387, 1397, 1471.

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H	115	1997 TECHNICAL CORRECTIONS (Ch. SL 97-0456)	88, 523, 567, 625, 1790, 1791, 1802, 1803, 1805, 1816.
H	266	ADJUST LICENSE WEIGHT (Ch. SL 97-0036)	127, 332, 354, 522, 667.
H	143	ADULT CARE HOMES ANNUAL REPORTING REQUIREMENT (Ch. SL 97-0073).....	95, 202, 249, 546, 913, 928, 944, 1009.
S	947	AMEND INTERBASIN TRANSFERS (Ch. SL 97-0524) (Included Ch. SL 97-0483)	797, 1300, 1498, 1713, 1748.
H	400	BANK ASSESSMENTS (Ch. SL 97-0285)	204, 426, 631, 657, 683, 1236, 1257, 1268, 1355.

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S	360	BOAT NUMBER FEES (Finance)	1316, 1604.
H	1108	BREW ON PREMISES PERMITS (Ch. SL 97-0467)	616, 995, 1150, 1166, 1173, 1500, 1569, 1590, 1596, 1632, 1644, 1652, 1654.
S	561	CAMPUS POLICE/CONCEALED HANDGUNS (Ch. SL 97-0441)	824, 1090, 1166, 1195, 1327, 1491, 1496, 1576, 1592, 1615, 1637.
H	951	CHARITABLE BINGO REGULATIONS (Judiciary II) (Included Ch. SL 97-0483)	545.
H	348	CIDER/VINEGAR MANUFACTURER PERMIT (Ch. SL 97-0134)	170, 320, 424, 488, 501, 1025, 1108.
H	433	CONCEALED HANDGUN EXEMPTION (Ch. SL 97-0274) (S 325)	231, 669, 720, 1203, 1212, 1214, 1313.
S	325	CONCEALED HANDGUN EXEMPTION (Rules, Calendar & Operations of the House) (H 433)	788.
S	463	CONTINUING BUDGET AUTHORITY (Ch. SL 97-0347)	1498, 1501, 1506.
S	473	CONTINUING BUDGET AUTHORITY (Ch. SL 97-0256)	1242, 1253, 1255, 1267, 1270.
S	490	CONTINUING BUDGET AUTHORITY (Ch. SL 97-0418)	1656, 1665, 1669, 1688.
H	787	CORE SOUND SHELLFISH LEASES (Environment)	449.
H	788	CORE SOUND SHELLFISH LEASES (Environment)	449.
H	493	CURRENT OPERATIONS APPROPRIATIONS ACT (Appropriations) (S 352)	242.
S	352	CURRENT OPERATIONS APPROPRIATIONS ACT (Ch. SL 97-0443) (H 493)	688, 1073, 1080, 1095, 1101, 1124, 1141, 1723, 1725, 1729, 1748.
H	1229	DARKER VEHICLE WINDOW FOR LUPUS (Appropriations)	951, 1094, 1217.
H	1061	DISABLED SPORTSMAN LICENSES (Ch. SL 97-0326)	605, 762, 1060, 1084, 1117, 1334, 1348, 1354.
H	183	DRIVING WHILE IMPAIRED/FELONY PRIOR RECORD LEVEL (Ch. SL 97-0486)	106, 304, 410, 482, 632, 659, 1553, 1582, 1612, 1620, 1664, 1675, 1706, 1719.

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H	464	ENHANCE CHILD CARE (Human Resources).....	237, 689.
S	929	ENHANCE CHILD CARE (Ch. SL 97-0506)	797, 1600, 1662, 1695, 1714, 1734, 1796.
H	188	ENVIRONMENTAL TECHNICAL CORRECTIONS (Senate) (S 169)	107, 556, 626.
S	169	ENVIRONMENTAL TECHNICAL CORRECTIONS (Rules, Calendar & Operations of the House) (H 188).....	707.
H	85	ENVIRONMENTALLY SOUND POLICY ACT (Rules, Calendar & Operations of the House).....	68, 345, 1725.
S	1023	FAMILY FOSTER HOME STANDARDS (Ch. SL 97-0110)	825, 933, 984, 991, 1070.
H	375	FISHERIES REFORM ACT (Environment)	181.
H	1097	FISHERIES REFORM ACT (Ch. SL 97-0400)	613, 662, 948, 1044, 1083, 1117, 1126, 1565, 1576, 1588, 1591, 1604.
H	1024	FOREIGN INSURER LICENSING (Ch. SL 97-0179)	599, 673, 721, 1043, 1063, 1068, 1160.
H	248	GRADUATED DRIVERS LICENSES (Ch. SL 97-0016)	121, 130, 169, 224, 246, 417, 432, 453, 457, 508.
S	441	HANDGUN FEE REALLOCATION (Ch. SL 97-0470)	1101, 1416, 1450, 1453, 1583, 1615, 1648, 1669.
H	488	INCREASE RABIES TAG FEE (Ch. SL 97-0069)	241, 333, 353, 361, 923, 1008.
S	987	INTERSTATE ECONOMIC DEVELOPMENT PERMITS (Commerce).....	768.
H	651	INTERSTATE ECONOMIC DEVELOPMENT ZONE (Ch. SL 97-0395)	389, 704, 779, 1271, 1491, 1496, 1513, 1518, 1603.
H	967	LIGHT DUTY ROAD USE (Ch. SL 97-0373)	561, 646, 686, 1402, 1460, 1474, 1479, 1550.
S	851	LIMIT PROVISIONAL LICENSE (Ch. SL 97-0522)	852, 1674, 1779, 1780, 1810.
S	452	LOCAL REGULATION ADULT ENTERTAINMENT (Finance)	563, 934, 1131.

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S	260	MODIFY EMISSIONS INSPECTION LAWS (Ch. SL 97-0029) (H 237).....	267, 319, 367, 418, 434, 507, 591.
S	699	MODIFY VEHICLE DEALER REQUIREMENT (Ch. SL 97-0429)	786, 1331, 1458, 1497, 1536, 1548, 1690.
H	900	NITROGEN LIMIT/CLEAN WATER FUND MODIFICATIONS (Senate).....	484, 662, 792.
H	208	NO FEE FOR MAIL-IN REGISTRATION (Postponed Indefinitely).....	111, 494.
S	172	NO SAFETY COURSE/DISABLED HUNTERS (Ch. SL 97-0365)	392, 558, 869, 943, 1468, 1549.
H	580	NONRESIDENT HANDGUN PERMIT (Finance)	347, 696.
S	992	NORTH CAROLINA BOXING COMMISSION (Ch. SL 97-0504)	768, 1329, 1640, 1736, 1773, 1779, 1811.
H	430	PERMISSIBLE SALES AT ZOO (Ch. SL 97-0258)	230, 653, 886, 931, 1219, 1244, 1248, 1299.
H	469	PERMIT FEES (Ch. SL 97-0479)	237, 542, 1415, 1501, 1514, 1525, 1687.
H	408	PLUMBING/HEATING CONTRACTORS (Ch. SL 97-0382)	219, 555, 949, 965, 972, 1481, 1489, 1495, 1567.
H	456	REGISTER OF DEEDS - NO ABUSE INFORMATION (Ch. SL 97-0136) (S 479)	235, 671, 725, 1007, 1108.
S	479	REGISTER OF DEEDS - NO ABUSE INFORMATION (Human Resources) (H 456)	636.
S	312	REGULATE CHECK CASHING (Ch. SL 97-0391)	546, 1048, 1090, 1232, 1416, 1526, 1534, 1539, 1603.
H	226	SOLID WASTE MANAGEMENT PERMIT REQUIREMENTS (Environment) (S 126).....	115.
S	126	SOLID WASTE MANAGEMENT PERMIT REQUIREMENTS (Ch. SL 97-0027) (H 226)	299, 440, 504, 507, 590.
S	379	SOLID WASTE OPERATOR COURSE EXEMPT (Environment)	1012.

LICENSES AND PERMITS-Contd.

- S 837 SPORTS CLUB ALCOHOLIC BEVERAGE
CONTROL PERMITS
(Rules, Calendar & Operations of the House)..... 800,
1375.
- H 752 STOLEN LICENSES
(Senate) 429, 663, 1252, 1357, 1422.
- S 932 STRENGTHEN MANAGED CARE REGULATIONS
(Ch. SL 97-0519) 1221, 1773, 1776, 1779, 1811.
- S 253 TELEPHONE CONSUMER PROTECTION
(Ch. SL 97-0482) 952, 1331, 1375, 1508,
1629, 1631, 1649, 1687.
- S 838 TOURISM RESORT ALCOHOLIC BEVERAGE
CONTROL PERMITS
(Rules, Calendar & Operations of the House)..... 800,
1395.
- H 237 VEHICLE EMISSIONS INSPECTIONS LAW
MODIFIED (Transportation) (S 260) 118.
- S 975 WORKERS' COMPENSATION SELF-INSURANCE
(Ch. SL 97-0362) 801, 1285, 1463, 1468, 1548.

LIENS (G.S. 44)

- H 301 CHILD SUPPORT/FEDERAL REQUIREMENTS
(Ch. SL 97-0433) 143, 701, 949, 1165,
1183, 1585, 1612, 1629, 1638.

LIMITED LIABILITY COMPANY ACT, N.C. (G.S. 57C)

- H 219 ADMINISTRATIVE DISSOLUTION/ANNUAL
REPORT (Ways & Means) 114.
- H 200 CORPORATE AMENDMENTS
(Judiciary II) (S 157) 110.
- S 157 CORPORATE AMENDMENTS
(Ch. SL 97-0485) (H 200) 528, 934, 1044, 1148,
1300, 1534, 1542, 1596, 1606,
1657, 1676, 1681, 1690, 1702.

LINCOLN COUNTY

- H 804 LINCOLN LOCAL ROADS
(Ch. SL 97-0169) 451, 701, 795, 885, 906,
911, 937, 953, 1120, 1134.
- H 634 MOUNTAIN ISLAND LAKE MARINE COMMISSION
(Rules, Calendar & Operations of the House)
(S 500) 375, 512, 531.

LINCOLN COUNTY-Contd.

- S 500 MOUNTAIN ISLAND LAKE MARINE COMMISSION
(Ch. SL 97-0257) (H 634)..... 563, 1091, 1186,
1205, 1212, 1268, 1299.

LIVESTOCK - see AGRICULTURE; also see ANIMALS**LOCAL APPROPRIATIONS - see APPROPRIATIONS, LOCAL****LOCAL DEVELOPMENT (G.S. 158)**

- H 757 NORTHEASTERN COMMISSION MEMBERS
(Rules, Calendar & Operations of the House)..... 430.
S 811 SOUTHEASTERN REGIONAL COMMISSION STAFF
(Ch. SL 97-0155) 767, 996, 1057, 1059, 1110.

LOCAL GOVERNMENT FINANCE (G.S. 159)

- S 389 BASEBALL PARK DISTRICTS
(Ch. SL 97-0380) 529, 1285, 1442,
1453, 1494, 1551.
S 249 BOND PAYMENT CHANGE
(Ch. SL 97-0307) 376, 1111, 1262,
1274, 1320, 1414.
H 1187 COUNTY/CITY SALES TAX EXEMPTION
(Senate) 789, 1315, 1364, 1372, 1392, 1408.
S 317 LOCAL GOVERNMENT DEBT CHANGES
(Finance) 802.
H 495 NATURAL GAS
(Ch. SL 97-0426) 252, 426, 641, 920, 979, 1021,
1050, 1521, 1532, 1542, 1548, 1689.
H 993 REGIONAL TRANSPORTATION AUTHORITIES
(Ch. SL 97-0393) 583, 1090, 1149,
1165, 1172, 1505, 1603.

LOTTERY

- H 83 1997 EDUCATION LOTTERY
(Rules, Calendar & Operations of the House)..... 68.
H 918 1997 LOTTERY FOR EDUCATION
(Rules, Calendar & Operations of the House)..... 516.
H 297 STATE LOTTERY FOR PUBLIC WORKS
(Rules, Calendar & Operations of the House)..... 143.

**LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT
AUTHORITY ACT (G.S. 104G)**

LOW-LEVEL RADIOACTIVE WASTE-Contd.

H 1134	LOW-LEVEL WASTE/UTILITIES (Rules, Calendar & Operations of the House).....	622.
H 903	NO LOW-LEVEL FACILITY IN FLOODPLAIN (Commerce)	498.
H 1080	NORTH CAROLINA'S WITHDRAWAL FROM SOUTHEAST COMPACT (Commerce)	610.
H 1129	REIMBURSEMENT FOR LOW-LEVEL FACILITY (Commerce)	620.

LUEBKE, PAUL

BILLS INTRODUCED - *2, 108, 109, 110, 150, 154, 155, 157, 171, 248, 284, 312, 317, 324, 325, 326, 343, 347, 351, 358, 374, *376, 399, 448, 449, 450, 451, 453, 454, 519, 527, 560, 561, 562, 563, 564, 575, *591, 664, 709, 735, 813, 871, *874, 906, 909, 911, 913, 914, 916, 919, 920, 921, 925, 929, 939, 943, 964, 979, 1010, 1014, 1016, 1029, 1053, 1069, 1080, *1084, *1085, 1088, 1115, 1116, 1129, 1154, 1155, *1164, 1189, 1195, 1197, 1203, 1210, 1218, *1223, *1224, 1228, *1230, 1242.	
COMMITTEE ASSIGNMENTS - Finance; Insurance; Insurance, Subcommittee on Health; Transportation; Ways and Means.	
CONFeree: S.B. 684.....	1637.
ESCORT FOR DR. JOHN HOPE FRANKLIN	1425.
EXCUSED ABSENCES.....	457, 1196, 1539, 1548, 1560, 1566, 1639, 1673.
EXCUSED VOTE ON ELECTION OF UNC BOARD OF GOVERNORS.....	306.
OATH.....	18.
SECONDS ADJOURNMENT	1319.

-M-**MACON COUNTY**

H 650	53RD HOUSE DISTRICT LOCAL ACT (Rules, Calendar & Operations of the House).....	389.
S 535	COUNTY/CONSENT BEFORE ACQUISITION (Ch. SL 97-0263)	765, 1062, 1082, 1122, 1195, 1207, 1214, 1312.
H 319	HIGHLANDS OCCUPANCY TAX (Finance - Local, Regional, & State Revenues) ...	152, 511, 634.
H 8	REPEAL HUNTING RESTRICTION (Ch. SL 97-0021)	43, 147, 177, 194, 522, 540.

MADISON COUNTY

H	603	MADISON OCCUPANCY TAX (Ch. SL 97-0102)	358, 444, 510, 533, 550, 962, 992, 1014, 1026, 1042.
H	417	MITCHELL/MADISON RIVER RAFTING CHARGES (Rules, Calendar & Operations of the House).....	221, 988, 1088, 1231, 1295.
S	121	STATEWIDE TAKING OF BEAVER (Ch. SL 97-0097)	192, 993, 1017, 1026, 1042.

MARRIAGE (G.S. 51) - see MARRIAGE AND FAMILY**MARRIAGE AND FAMILY - also see FAMILY SUPPORT ACT, UNIFORM INTERSTATE; JURISDICTION ACT, UNIFORM**

H	1206	ADOPTION REGISTRY (Human Resources) (Included Ch. SL 97-0483).....	846.
H	1066	AMEND DIVORCE LAW (Judiciary II).....	606.
H	301	CHILD SUPPORT/FEDERAL REQUIREMENTS (Ch. SL 97-0433)	143, 701, 949, 1165, 1183, 1585, 1612, 1629, 1638.
H	896	CHILD WELFARE CHANGES (Ch. SL 97-0390)	484, 593, 669, 720, 722, 745, 769, 1499, 1516, 1524, 1529, 1599.
H	560	DIVORCE EDUCATION (Approp - Justice & Public Safety)	336, 408, 421, 524, 634.
S	627	DOMESTIC VIOLENCE CHANGES (Ch. SL 97-0471)	709, 1497, 1647, 1669.
H	533	EQUITABLE DISTRIBUTION/DIVISIBLE PROPERTY (Ch. SL 97-0302)	311, 508, 566, 568, 1210, 1285, 1307, 1311, 1398.
H	535	EQUITABLE DISTRIBUTION/RETIREMENT RIGHTS (Ch. SL 97-0212).....	311, 508, 567, 1149, 1200.
H	415	GRANDPARENTS' CHILD SUPPORT (Senate) (S 744)	220, 699, 836, 1778.
S	744	GRANDPARENTS' CHILD SUPPORT (Rules, Calendar & Operations of the House) (H 415).....	803, 1721, 1778.
H	907	MEDIATED SETTLEMENT/FAMILY ISSUES (Ch. SL 97-0229)	514, 633, 723, 743, 1139, 1153, 1159, 1249.

MARRIAGE AND FAMILY-Contd.

H	908	MODIFY RIGHTS OF DECEDENT'S SPOUSE (Senate) (Included Ch. SL 97-0483)	514, 691, 776.
H	1065	PARENTAL RIGHTS AND CHILD PROTECTION ACT (Human Resources - Families)	606, 672.
S	554	PATERNITY/PARENTAL SUPPORT (Ch. SL 97-0154)	802, 981, 1056, 1058, 1110.
H	456	REGISTER OF DEEDS - NO ABUSE INFORMATION (Ch. SL 97-0136) (S 479)	235, 671, 725, 1007, 1108.
S	479	REGISTER OF DEEDS - NO ABUSE INFORMATION (Human Resources) (H 456)	636.
H	534	SUPPORT ORDERS ENFORCEMENT (Senate)	311, 643, 718.
H	480	WOMENWORK FUND (Approp - General Government) (S 475)	240, 663, 1201, 1349, 1364, 1374.
S	475	WOMENWORK FUND (Appropriations) (H 480)	1237, 1296, 1558.

MARRIED PERSONS, POWERS AND LIABILITIES OF (G.S. 52)

H	534	SUPPORT ORDERS ENFORCEMENT (Senate)	311, 643, 718.
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MARTIN COUNTY

H	702	6TH HOUSE DISTRICT LOCAL ACT (Rules, Calendar & Operations of the House)	403.
S	343	HOUSING AUTHORITY DUTIES (Ch. SL 97-0455)	360, 1600, 1667, 1683, 1697, 1729, 1733, 1755, 1794.
S	411	WILLIAMSTON EXTRATERRITORIAL JURISDICTION (Returned to Senate for Concurrence) (H 545)	432, 1215, 1263, 1272.
H	545	WILLIAMSTON/TABOR CITY EXTRATERRITORIAL JURISDICTION (Ch. SL 97-0281) (S 411)	324, 443, 477, 486, 1316, 1322, 1334, 1341, 1355.

MCALLISTER, MARY E.

BILLS INTRODUCED -	2, 5, 32, 33, 53, 54, 55, 83, 108, 109, 110, 117, 157, 171, 248, 343, 345, 351, 358, 374, 432, 480, 481, 527, 537, 550, 551, 552, 591, 598, *668, 672, 683, 743, *767, 769, 813, 816, 849, *861, *862, *863, 864, 878, 883, 906, 909, 918, 926, 929, 939, 963, 964, 1010, 1014, 1016, 1025, 1058, 1069, 1077,
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MCALLISTER, MARY E.-Contd.

1084, 1085, 1089, 1115, 1155, 1167, *1180, 1191, 1195, 1210,
1218, 1224, 1236.

COMMITTEE ASSIGNMENTS - Appropriations; Appropriations,
Subcommittee on Transportation; Commerce; Commerce,
Subcommittee on Financial Institutions; Congressional Redistricting;
Human Resources; Human Resources, Subcommittee on Families;
Local and Regional Government II.

ESCORT FOR DR. JOHN HOPE FRANKLIN 1425.

EXCUSED ABSENCES..... 167, 330, 507, 991, 1529, 1539, 1673.

OATH..... 18.

SECONDS ADJOURNMENT 227.

MCCOMAS, DANIEL F.

APPROVAL OF VOTE CHANGE ON S.B. 1 1743.

APPROVAL OF VOTE CHANGE ON S.B. 382..... 1536.

BILLS INTRODUCED - 10, 12, 13, 14, 15, 16, 22, 23, 66, 85, 92, 94,
95, 122, 140, 147, 148, *160, 164, 183, 255, 256, *257, 259, 271,
272, 295, 303, 310, 311, 313, 345, 351, 361, *382, 389, 482, 501,
518, 519, 525, *526, 529, 536, 537, 538, 539, 546, 716, 739, 769,
770, 813, 814, 824, *877, *878, 891, *897, 909, 928, *934, 940,
951, 964, 974, 980, 986, 991, 1003, 1012, 1035, 1049, 1057, 1067,
1076, 1090, 1108, *1119, *1120, *1121, 1128, 1135, 1155, 1177,
1195, 1231.

COMMITTEE ASSIGNMENTS - Commerce; Commerce, Subcommittee on
Public Utilities, Chair; Environment; Finance; Finance, Subcommittee
on Local, Regional, and State Revenues; Insurance; Insurance,
Subcommittee on Health, Chair; Transportation.

CONFeree: H.B. 183 1612.

CONFeree: H.B. 484 1162.

CONFeree: H.B. 515 1483.

EXCUSED VOTE: H.B. 463 491.

EXCUSED VOTE: H.B. 966 686.

EXCUSED VOTE: H.B. 967 686, 1474.

EXCUSED VOTE: H.B. 1096..... 1536, 1545, 1556, 1647.

MOTION TO RECALL H.B. 484 FROM ENROLLING 1156.

OATH 18.

OFFERS PRAYER 317.

MCCOMBS, W. EUGENE

BILLS INTRODUCED - 77, 122, 131, 136, 139, 140, 224, 225, 248,
*285, 310, 340, 351, 357, 389, 472, 554, 555, 556, 639, 701, 704,
739, 769, 770, 864, 905, 906, 934, 949, 950, *959, 964, 984, 986,
1010, *1061, 1064, 1096, 1111, 1128, 1155, 1195.

MCCOMBS, W. EUGENE-Contd.**CHAIR OF ESCORT COMMITTEE FOR**

REVEREND BILLY GRAHAM..... 853.

COMMITTEE ASSIGNMENTS - Appropriations; Appropriations,
Subcommittee on General Government, Co-Chair; Commerce;
Commerce, Subcommittee on Public Utilities; Environment;
Finance; Pensions and Retirement, Vice Chair; Transportation.

CONFEREES: S.B. 352..... 1141.

EXCUSED ABSENCES..... 729, 956, 968, 977, 991, 1320.

OATH..... 18.

SECONDS ADJOURNMENT 438.

MCCRARY, PAUL R.

BILLS INTRODUCED - 32, 33, 82, 83, 150, 151, 153, 154, 180, 191,
192, 193, 204, *217, *218, 220, 221, 222, 225, 248, 267, 343, 351,
353, 354, 355, 358, 361, 374, 512, 519, 523, 527, 554, 564, 591,
704, 739, 746, 770, 813, 871, 905, 906, 918, 964, 986, 987, 1010,
1014, 1024, 1061, 1064, 1069, 1078, 1084, 1115, 1116, 1128,
1155, 1193, 1195, 1210, 1222.

COMMITTEE ASSIGNMENTS - Agriculture; Appropriations;
Appropriations, Subcommittee on Justice and Public Safety, Ranking
Minority Member; Commerce; Commerce, Subcommittee on Public
Utilities; Pensions and Retirement.

EXCUSED ABSENCES..... 1311, 1328, 1340.

OATH..... 18.

SECONDS ADJOURNMENT 125, 844.

MCDOWELL COUNTY

S 552 MCDOWELL ROAD HUNTING

(Ch. SL 97-0453)..... 799, 1793, 1816.

H 893 MCDOWELL/BURKE AIRPARK AUTHORITY

(Finance - Local, Regional, & State Revenues) 474,
646, 672.

S 121 STATEWIDE TAKING OF BEAVER

(Ch. SL 97-0097)..... 192, 993, 1017, 1026, 1042.

S 58 UNLAWFUL TO REMOVE DOG COLLARS

(Ch. SL 97-0150)..... 153, 992, 1017, 1050,
1064, 1074, 1099, 1109.

H 508 UPPER CATAWBA RIVER/PERSONAL

WATERCRAFT (Ch. SL 97-0129)..... 267, 443, 478,
1043, 1063, 1069, 1079.

MCMAHAN, W. EDWIN

APPROVAL OF VOTE CHANGE ON S.B. 466..... 1337.

BILLS INTRODUCED - 13, 14, 15, 16, *19, *20, 22, 23, *64, 78, 86,
 87, 88, 89, 90, 108, 109, 110, 122, 131, 139, 140, *177, *178, 182,
 183, 209, 235, *250, 256, 271, 272, 296, 309, 341, 342, 348, 351,
 356, 372, 395, 405, 432, 433, 511, 512, *514, 525, 536, 538, 539,
 561, 587, *596, *597, 612, 665, 672, 707, 708, *709, 712, 739,
 746, *766, 769, 770, 814, *824, 845, 864, 869, 891, 905, 909, 926,
 930, 934, 938, 940, 951, 975, 983, 986, 987, 1012, 1014, 1019,
 1039, 1061, 1062, 1067, 1078, 1092, 1096, *1108, *1109, *1110,
 *1111, 1128, 1155, 1177, 1188, *1194, 1195, 1204, *1231, *1243.

COMMITTEE ASSIGNMENTS - Appropriations; Appropriations,
 Subcommittee on Transportation, Co-Chair; Commerce; Commerce,
 Subcommittee on Financial Institutions; Congressional Redistricting,
 Chair; Education; Education, Subcommittee on Universities; Finance;
 Judiciary II; Rules, Calendar, and Operations of the House.

CONFEREE: H.B. 1231 (Chair)..... 1564.

CONFEREE: S.B. 352..... 1141.

CONFEREE: S.B. 429..... 1130.

CONFEREE: S.B. 556..... 1287.

CONFEREE: S.B. 660 (Chair) 1489.

CONFEREE: S.B. 993..... 1288.

ESCORT FOR COACH DEAN SMITH 1509.

EXCUSED ABSENCES..... 228, 439, 845, 883, 1298, 1397,
 1413, 1602, 1617, 1639, 1719, 1748.

OATH..... 18.

MECKLENBURG COUNTY

H 596 CHARLOTTE CIVIL SERVICE BOARD
 (Senate) (S 429) 357, 444, 479.

S 429 CHARLOTTE CIVIL SERVICE BOARD
 (Ch. SL 97-0305) (H 596)..... 417, 1061, 1082, 1112,
 1124, 1130, 1373, 1380, 1385, 1397, 1414.

H 309 CHARLOTTE ON-STREET PARKING
 (Ch. SL 97-0045) 145, 159, 227, 245, 919, 923.

H 712 CHARLOTTE PARKING ORDINANCES
 (Senate) (S 499) 405, 570, 588.

S 499 CHARLOTTE PARKING ORDINANCES
 (Ch. SL 97-0127) (H 712)..... 493, 1046,
 1064, 1069, 1079.

S 741 CHARLOTTE PHOTO ENFORCEMENT
 (Ch. SL 97-0216) 800, 1137, 1165,
 1172, 1197, 1214.

MECKLENBURG COUNTY-Contd.

- H 612 CHARLOTTE SPEED LIMIT AUTHORITY
(Senate) 360, 512, 536.
- S 637 CHARLOTTE SPEED LIMIT AUTHORITY
(Ch. SL 97-0264) 547, 1189, 1262, 1298, 1312.
- H 372 CHARLOTTE TOWING VEHICLES
(Senate) (S 282) 180, 343, 361.
- S 282 CHARLOTTE TOWING VEHICLES
(Ch. SL 97-0107) (H 372) 326, 993,
1052, 1059, 1069.
- S 390 HUNTERSVILLE ANNEXATION
(Ch. SL 97-0267) 529, 1045, 1138, 1232,
1258, 1259, 1273, 1309, 1313.
- H 412 HUNTERSVILLE ANNEXATION AGREEMENT
(Local & Regional Government II) (S 262) 220.
- S 262 HUNTERSVILLE ANNEXATION AGREEMENT
(Ch. SL 97-0266) (H 412) 376, 522, 1138, 1232,
1258, 1272, 1309, 1312.
- H 395 LEFT TURN ON RED
(Judiciary II) 191.
- H 708 LOCAL SPRINKLER SYSTEMS
(Local & Regional Government II) (S 556) 405,
513, 536, 1305.
- S 556 LOCAL SPRINKLER SYSTEMS
(Ch. SL 97-0316) (H 708) 499, 1150, 1181, 1193,
1206, 1242, 1287, 1374, 1386, 1394,
1403, 1411, 1420, 1427, 1429, 1446.
- H 1231 LOCAL TRANSIT REVENUE OPTIONS
(Ch. SL 97-0417) 962, 1201, 1324, 1377,
1455, 1465, 1546, 1554, 1573,
1579, 1585, 1595, 1602, 1688.
- H 867 MATTHEWS ANNEXATION/ZONING
(Ch. SL 97-0283) 469, 572, 926, 982,
1015, 1316, 1323, 1335, 1341, 1355.
- H 748 MATTHEWS/CHARLOTTE BOUNDARY
(Ch. SL 97-0220) 428, 570, 634, 732,
784, 809, 1210, 1215.
- H 587 MECKLENBURG ALCOHOLIC BEVERAGE
CONTROL LAW ENFORCEMENT
(Ch. SL 97-0224) 348, 511, 564,
1211, 1221, 1227, 1249.
- H 342 MECKLENBURG BID LIMIT INCREASED
(Ch. SL 97-0184) 163, 342, 382,
411, 434, 1159, 1177.

MECKLENBURG COUNTY-Contd.

S	672	MECKLENBURG LOCAL BILL (Local & Regional Government II).....	766.
H	296	MECKLENBURG SCHOOL ELECTION CHANGES (Senate)	142, 331, 486, 500.
H	747	MECKLENBURG SCHOOL ELECTIONS (Senate)	428, 670, 715.
H	570	MECKLENBURG SPHERES OF INFLUENCE (Finance - Local, Regional, & State Revenues) ...	337, 511, 795.
S	130	MECKLENBURG SPHERES OF INFLUENCE (Ch. SL 97-0106)	339, 993, 1052, 1059, 1069.
H	766	MECKLENBURG/AMEND LAW ENFORCEMENT OFFICER DEFINITION (Pensions & Retirement)	445, 570.
H	634	MOUNTAIN ISLAND LAKE MARINE COMMISSION (Rules, Calendar & Operations of the House) (S 500).....	375, 512, 531.
S	500	MOUNTAIN ISLAND LAKE MARINE COMMISSION (Ch. SL 97-0257) (H 634)	563, 1091, 1186, 1205, 1212, 1268, 1299.
S	474	MUNICIPALITIES' TREE ORDINANCE (Ways & Means)	788.
H	437	PILOT MOUNTAIN RECREATION/LOCAL TREE REGULATION (Ch. SL 97-0420).....	232, 772, 835, 1321, 1582, 1610, 1621, 1651, 1659, 1671, 1673, 1688.
H	177	PINEVILLE TELEPHONE SYSTEM (Local & Regional Government II).....	105.
S	826	SCHOOL BOARD AND LOCAL CHANGES (Returned to Senate for Concurrence) (H 483)	801, 1461, 1559, 1570, 1590, 1631, 1641, 1693, 1711.
H	850	TOWN OF MATTHEWS (Rules, Calendar & Operations of the House).....	466.

MEDICAID

H	536	ABORTION/RIGHT TO KNOW (Senate)	312, 691, 770, 775.
H	493	CURRENT OPERATIONS APPROPRIATIONS ACT (Appropriations) (S 352)	242.
S	352	CURRENT OPERATIONS APPROPRIATIONS ACT (Ch. SL 97-0443) (H 493).....	688, 1073, 1080, 1095, 1101, 1124, 1141, 1723, 1725, 1729, 1748.

MEDICAID-Contd.

H 405	ELIMINATE MEDICAID PRESCRIPTION LIMIT (Insurance)	204.
H 1189	FOOD TAX REDUCTION/ALCOHOL TAX INCREASE (Commerce)	790.
H 1186	IN-HOME ASSISTANCE PROJECT/FUNDS (Appropriations)	764.
S 943	MEDICAID FALSE CLAIMS ACT (Ch. SL 97-0338)	823, 913, 1284, 1338, 1397, 1471.
H 358	OBSTETRICIAN-GYNECOLOGISTS ACCESS/ MEDICAID RECIPIENTS (Insurance)	172.
S 786	VOCATIONAL REHABILITATION SUBROGATION CHANGE (Human Resources)	766.
S 1015	WELFARE REFORM ACT OF 1997 (Appropriations)	853, 1037.

MEDICINE AND ALLIED OCCUPATIONS (G.S. 90)

H 115	1997 TECHNICAL CORRECTIONS (Ch. SL 97-0456)	88, 523, 567, 625, 1790, 1791, 1802, 1803, 1805, 1816.
H 536	ABORTION/RIGHT TO KNOW (Senate)	312, 691, 770, 775.
S 445	ALLOW NURSING INTERSTATE COMPACTS (Ch. SL 97-0491)	740, 1664, 1777, 1795.
H 770	AMEND MARIJUANA TRAFFICKING AMOUNT (Senate)	446, 509, 538.
H 1063	AMEND PSYCHOLOGY PRACTICE ACT (Rules, Calendar & Operations of the House)	606.
H 1219	ASSISTED LIVING ADMINISTRATORS (Rules, Calendar & Operations of the House)	849.
H 1017	BOARD OF MORTUARY SCIENCE (Rules, Calendar & Operations of the House)	597.
H 1008	CHIROPRACTIC LICENSURE AMENDMENTS (Ch. SL 97-0230)	595, 698, 793, 1140, 1154, 1159, 1249.
S 571	CONTROLLED SUBSTANCE/SCHEDULE II (Ch. SL 97-0385)	708, 1360, 1490, 1494, 1568.
S 861	DISPENSING OPTICIANS (Ch. SL 97-0424)	962, 1131, 1377, 1556, 1563, 1567, 1689.
H 1079	DRUG LAW AMENDMENTS (Judiciary I)	610.

MEDICINE AND ALLIED OCCUPATIONS-Contd.

H	141	EMBEZZLEMENT/INCREASE PENALTY (Senate)	95, 157, 257.
H	485	FUNERAL ESTABLISHMENTS (Ch. SL 97-0399)	241, 524, 644, 716, 744, 1540, 1604.
S	168	INCREASE NURSES FEES (Ch. SL 97-0384)	563, 1309, 1415, 1462, 1477, 1494, 1568.
H	162	INCREASE PENALTY FOR CERTAIN DRUG SALES (Appropriations)	99, 177.
H	933	INCREASE PHARMACY FEES (Ch. SL 97-0231)	526, 870, 894, 908, 1139, 1154, 1159, 1249.
H	968	INDUSTRIAL HYGIENISTS (Judiciary II) (S 430)	561.
S	430	INDUSTRIAL HYGIENISTS (Ch. SL 97-0195) (H 968)	799, 881, 1037, 1129, 1133, 1198.
H	824	LICENSE ATHLETIC TRAINERS (Rules, Calendar & Operations of the House) (S 660)	462.
S	660	LICENSE ATHLETIC TRAINERS (Ch. SL 97-0387) (H 824)	1027, 1229, 1357, 1454, 1464, 1488, 1500, 1511, 1520, 1523, 1599.
H	1077	MASSAGE AND BODYWORK THERAPIES (Finance)	609, 1569.
H	1116	MEDICAL RESEARCH/INCLUDE WOMEN (Human Resources)	617.
H	576	NEEDLE EXCHANGE PILOT PROGRAM (Human Resources)	338.
S	320	NURSES' TRAINING (Ch. SL 97-0375)	586, 1080, 1146, 1177, 1292, 1295, 1325, 1373, 1444, 1486, 1550.
H	945	NURSING SCHOLARS PROGRAM (Ch. SL 97-0214)	544, 641, 717, 1106, 1200.
H	1122	OMNIBUS COURT CHANGES (Ch. SL 97-0304)	619, 754, 819, 1334, 1343, 1348, 1350, 1354, 1398.
H	527	OPTOMETRY CHANGES (Ch. SL 97-0075)	310, 493, 566, 567, 987, 1009.
H	1038	PHARMACY BOARD CHANGES (Rules, Calendar & Operations of the House)	601.

MEDICINE AND ALLIED OCCUPATIONS-Contd.

- H 948 PHARMACY REHABILITATION PROGRAM
(Ch. SL 97-0177) 544, 736, 839, 1068, 1160.
- S 595 PHYSICIAN ASSISTANT LICENSURE
(Ch. SL 97-0511) 547, 1570, 1778,
1780, 1782, 1795.
- S 583 PHYSICIAN EDUCATION AND REGISTRATION
(Ch. SL 97-0481) 637, 1572, 1661, 1668, 1687.
- S 934 PREFERRED PROVIDER AMENDMENTS
(Rules, Calendar & Operations of the House).... 1237.
- S 945 PRESCRIPTION REFILL SAFETY ACT
(Ch. SL 97-0076) 741, 888, 909, 919, 947, 1009.
- H 158 PRISON OFFENSES/INCREASE PENALTY
(Senate) 99, 334, 354.
- H 421 RESPIRATORY CARE PRACTICE ACT
(Insurance) 221, 988.
- H 581 SEX EXPLOITATION ACT
(Senate) 347, 643, 724.
- H 175 STRUCTURED SENTENCING/TECHNICAL AND
CLARIFYING AMENDMENTS
(Ch. SL 97-0080) 104, 458, 505, 947, 1009.
- S 712 SUBSTANCE ABUSE SPECIALISTS
(Ch. SL 97-0492) 1113, 1664, 1736, 1765, 1795.
- H 564 SUPERVISING DENTAL HYGIENISTS
(Senate) 337, 542, 568, 773, 830.
- H 1112 SURROGATE CONSENT/HEALTH CARE
(Human Resources)..... 616.
- H 814 TELEMEDICINE BY LICENSED DOCTORS
(Calendar Pursuant Rule 36(a)) (S 780)..... 460, 1583.
- S 780 TELEMEDICINE BY LICENSED DOCTORS
(Ch. SL 97-0514) (H 814)..... 741, 1583, 1737, 1796.

**MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND
SUBSTANCE ABUSE ACT (G.S. 122C)**

- H 115 1997 TECHNICAL CORRECTIONS
(Ch. SL 97-0456) 88, 523, 567, 625, 1790,
1791, 1802, 1803, 1805, 1816.
- H 858 ADDICTION RESEARCH AUTHORITY
(Appropriations)..... 468.
- S 757 ADVANCE INSTRUMENT/MENTAL HEALTH
(Ch. SL 97-0442) 803, 1572, 1593, 1614, 1638.
- H 1063 AMEND PSYCHOLOGY PRACTICE ACT
(Rules, Calendar & Operations of the House)..... 606.

MENTAL HEALTH-Contd.

H	77	AREA MENTAL HEALTH AUTHORITY (Ch. SL 97-0007)	66, 135, 155, 309, 395.
H	327	AREA MENTAL HEALTH BOARD/APPOINTEES (Senate)	160, 381, 421.
S	248	BROUGHTON HOSPITAL SECURITY FORCE (Ch. SL 97-0320)	563, 1234, 1363, 1384, 1460.
S	428	BUTNER PLANNING COUNCIL (Ch. SL 97-0059)	529, 651, 895, 898, 959.
S	561	CAMPUS POLICE/CONCEALED HANDGUNS (Ch. SL 97-0441)	824, 1090, 1166, 1195, 1327, 1491, 1496, 1576, 1592, 1615, 1637.
H	151	CHILD FATALITY TASK FORCE CONFIDENTIAL RECORDS (Judiciary II)	97, 262.
S	799	DISCIPLINE DISCLOSURE ACT (Public Employees)	851.
H	464	ENHANCE CHILD CARE (Human Resources)	237, 689.
S	929	ENHANCE CHILD CARE (Ch. SL 97-0506)	797, 1600, 1662, 1695, 1714, 1734, 1796.
H	101	EXTEND TRI-COUNTY ADMINISTRATION (Ch. SL 97-0280)	73, 159, 205, 217, 247, 256, 1297, 1298, 1355.
H	434	FEDERAL HEALTH INSURANCE CHANGES (Ch. SL 97-0259)	231, 672, 725, 745, 1210, 1246, 1257, 1267, 1299.
H	563	MENTAL HEALTH PARITY (Insurance) (S 400)	336.
S	400	MENTAL HEALTH PARITY (Insurance - Health) (H 563)	822, 961.
H	948	PHARMACY REHABILITATION PROGRAM (Ch. SL 97-0177)	544, 736, 839, 1068, 1160.
S	597	PROFESSIONAL COUNSELORS (Ch. SL 97-0421)	563, 1344, 1558, 1560, 1689.
H	930	SEX OFFENDER LAWS/FEDERAL COMPLIANCE (Judiciary II) (S 676)	526.
S	676	SEX OFFENDER LAWS/FEDERAL COMPLIANCE (Ch. SL 97-0516) (H 930)	1013, 1178, 1416, 1515, 1535, 1544, 1555, 1563, 1577, 1622, 1774, 1781, 1784, 1815.
H	435	STATE HEALTH PLAN TECHNICAL AMENDMENTS (Ch. SL 97-0512)	232, 365, 1225, 1605, 1665, 1718, 1751, 1775, 1797.

MENTAL HEALTH-Contd.

H 1112	SURROGATE CONSENT/HEALTH CARE (Human Resources).....	616.
S 962	VOLUNTEER ADMISSION/FAMILY UNIT (Calendar Pursuant to Rule 36(a)).....	824, 1600.

MERCER, LINWOOD E.

APPROVAL OF VOTE CHANGE ON H.B. 468	818.
BILLS INTRODUCED - 52, 145, 165, 172, 180, 183, 184, *185, *186, 248, 261, 264, 280, 295, *347, 351, 374, 406, 432, 512, 519, 523, 527, *531, 561, 575, 704, 739, 746, 770, 796, 813, 906, 907, *915, 937, 939, 943, 957, 960, 975, 986, *1000, 1016, 1064, 1069, 1072, 1092, 1096, 1115, 1151, 1154, 1155, 1177, 1195, 1210.	
COMMITTEE ASSIGNMENTS - Agriculture; Finance; Pensions and Retirement; Transportation; UNC Board of Governors.	
EXCUSED ABSENCES.....	330, 757, 1176, 1340.
OATH.....	18.
SECONDS ADJOURNMENT	480, 1310, 1375.

MICHAUX, H. M., JR.

BILLS INTRODUCED - 2, 83, 223, 248, 259, 288, 297, 343, 351, *376, 399, 479, 519, 527, 550, 551, 552, 560, 561, 562, 563, 591, 683, *790, *791, *792, 813, *901, 906, 909, 918, 1010, 1014, *1017, 1064, 1069, *1085, 1096, 1115, 1154, 1155, 1167, 1176, 1180, 1195, 1210, *1215, 1218, 1223, 1224, 1230, 1231, *1241.	
COMMITTEE ASSIGNMENTS - Appropriations; Appropriations, Subcommittee on Capital and Budget; Election Law and Campaign Reform; Insurance; Insurance, Subcommittee on Health; Judiciary I; Public Employees.	
CONFeree: S.B. 725	1698.
ESCORT FOR DR. JOHN HOPE FRANKLIN	1425.
EXCUSED VOTE: H.B. 940.....	780.
OATH.....	18.

MILITIA (G.S. 127A)

H 459	NORTH CAROLINA NATIONAL GUARD AUTHORITY (Rules, Calendar & Operations of the House) ...	236, 693.
H 975	NORTH CAROLINA NATIONAL GUARD LENGTHY SERVICE BONUS (Appropriations).....	579, 663.
H 432	NORTH CAROLINA NATIONAL GUARD MOBILIZATION LESSONS (Ch. SL 97-0153).....	231, 397, 438, 558, 639, 1099, 1110.

MILLER, GEORGE W., JR.**APPROVAL OF VOTE CHANGE ON**

JOURNAL OF APRIL 16	575.
BILLS INTRODUCED - 2, 5, 80, 81, 83, 126, 155, 248, 351, 374, *376, 447, 448, 449, 450, 451, 453, 454, 464, 478, 490, 494, 495, 519, 560, 561, 563, 591, 709, 735, 770, 813, *879, *880, *881, 918, 933, 979, 1010, 1014, *1051, *1052, *1085, *1086, 1115, 1116, *1118, *1134, 1154, 1155, 1195, 1210, 1218, 1224, 1230.	
COMMITTEE ASSIGNMENTS - Finance; Insurance; Insurance, Subcommittee on Health; Judiciary I; Technology; Ways and Means.	
CONFEREE: S.B. 683	1698.
ESCORT FOR DR. JOHN HOPE FRANKLIN	1425.
EXCUSED ABSENCES.....	1426, 1639, 1653, 1673, 1702.
OATH.....	18.
SECONDS ADJOURNMENT	65, 129, 945.

MINER, DAVID M.

BILLS INTRODUCED - 19, 20, 140, 178, 209, 248, 250, 351, 382, *472, *473, 499, 527, 536, 538, 539, 554, 665, 739, 769, 770, *808, 813, 824, 864, 869, *887, *888, *889, *890, 891, *895, 928, 980, 987, 1014, 1067, *1080, 1083, 1091, 1096, 1115, 1116, *1125, *1126, *1127, *1128, *1129, 1155, 1163, 1188, *1217, *1231, 1243.	
COMMITTEE ASSIGNMENTS - Commerce, Co-Chair and Senior Ranking Member; Finance; Insurance; Insurance, Subcommittee on Health; Rules, Calendar, and Operations of the House; Transportation.	
CONFEREE: H.B. 1231	1564.
CONFEREE: S.B. 32	1800.
CONFEREE: S.B. 424 (Chair)	1771.
CONFEREE: S.B. 565.....	1634.
ESCORT FOR UNITED STATES SENATOR JESSE A. HELMS.....	1027.
OATH.....	18.

MINORITIES

H 1085	AMEND ETHNIC INTIMIDATION LAW (Judiciary I).....	611.
H 493	CURRENT OPERATIONS APPROPRIATIONS ACT (Appropriations) (S 352).....	242.
S 352	CURRENT OPERATIONS APPROPRIATIONS ACT (Ch. SL 97-0443) (H 493).....	688, 1073, 1080, 1095, 1101, 1124, 1141, 1723, 1725, 1729, 1748.

MINORITIES-Contd.

H	1117	ENHANCE AMERICAN ENGLISH (Rules, Calendar & Operations of the House).....	618.
H	972	HALIWA NAME CHANGE (Senate) (S 1074)	562, 654, 719.
S	1074	HALIWA NAME CHANGE (Ch. SL 97-0293) (H 972).....	742, 1231, 1265, 1268, 1356.
H	517	INDIAN CULTURAL CENTER FUND-RAISING (Ch. SL 97-0041)	296, 372, 394, 590, 812.
H	1082	NATIVE AMERICAN SPECIAL PLATES (Senate)	610, 937, 951, 982, 1001, 1018.
S	992	NORTH CAROLINA BOXING COMMISSION (Ch. SL 97-0504)	768, 1329, 1640, 1736, 1773, 1779, 1811.
H	988	RESTORE PERSON INDIAN RECOGNITION (Ch. SL 97-0147)	582, 695, 817, 1007, 1109.
S	815	SPEAKER/PRO TEM APPOINTMENTS (Ch. SL 97-0495)	1718, 1751, 1783, 1790, 1816.

MINORS - also see CHILD WELFARE; JUDICIAL DEPARTMENT**MITCHELL COUNTY**

H	832	COLLECT DELINQUENT PROPERTY TAX (Rules, Calendar & Operations of the House).....	463, 571, 655, 732, 834, 1321.
H	102	MITCHELL PRECINCTS (Ch. SL 97-0183)	73, 264, 301, 1159, 1176.
H	417	MITCHELL/MADISON RIVER RAFTING CHARGES (Rules, Calendar & Operations of the House).....	221, 988, 1088, 1231, 1295.
H	418	VARIOUS LOCAL TAX CHANGES (Ch. SL 97-0410)	221, 1400, 1410, 1417, 1434, 1451, 1585, 1609, 1628, 1638, 1655.

MITCHELL, BURLEY B., JR. - CHIEF JUSTICE OF THE NORTH CAROLINA SUPREME COURT

ADDRESSES JOINT SESSION	207.
ADMINISTERS OATH TO MEMBERS OF HOUSE OF REPRESENTATIVES	18.

MITCHELL, W. FRANK

APPROVAL OF VOTE CHANGE ON S.B. 389	1453.
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MITCHELL, W. FRANK-Contd.

BILLS INTRODUCED - 10, 13, 66, 77, 82, 95, 96, 122, 136, 138, 139, 140, 145, 165, 184, *185, *186, 224, 225, *237, *238, *239, *240, *241, *242, *243, *244, *245, *246, *247, 248, 256, 258, 259, 260, 261, 268, *274, 287, 295, 310, 315, 316, *327, 351, *357, 370, 389, 457, 472, 508, 525, 529, 539, 540, 554, 564, *572, 610, *618, 640, 672, *697, 701, 704, 739, 770, *891, 905, 906, 908, 919, 934, 938, 949, 951, 959, 964, 980, 984, 987, 998, 1001, 1010, 1043, 1061, 1074, 1075, 1091, 1092, 1096, 1097, 1111, 1115, 1116, 1128, *1149, 1150, 1155, 1162, 1193, 1195.

COMMITTEE ASSIGNMENTS - Agriculture, Vice Chair; Appropriations; Appropriations, Subcommittee on Capital and Budget; Appropriations, Subcommittee on Natural and Economic Resources, Co-Chair; Commerce; Commerce, Subcommittee on Public Utilities; Environment; Rules, Calendar, and Operations of the House; Welfare Reform.

CONFeree: S.B. 227 1223.

CONFeree: S.B. 352 1141.

CONFeree: S.B. 660 1489.

CONFeree: S.B. 764 (Chair) 1170.

ESCORT FOR SPEAKER 25.

NOMINATION OF REPRESENTATIVE CAROLYN B.

RUSSELL AS SPEAKER PRO TEMPORE 31.

OATH 18.

SECONDS ADJOURNMENT 1717.

MONOPOLIES, TRUSTS AND CONSUMER**PROTECTION (G.S. 75)**

H 1088 NO ADS TO CELLULAR PHONES
(Commerce) 611.

H 1074 REPRESENTATIONS TO CONSOLIDATE DEBTS
(Senate) 608, 700, 772, 828.

MONTGOMERY COUNTY

H 693 MONTGOMERY COUNTY LOCAL ACT
(Rules, Calendar & Operations of the House) 402.

H 694 MONTGOMERY COUNTY LOCAL ACT
(Rules, Calendar & Operations of the House) 402.

H 669 MONTGOMERY LOCAL ACT
(Rules, Calendar & Operations of the House) 398.

MOORE COUNTY

H 695 ABERDEEN ANNEXATION
(Ch. SL 97-0252) 402, 513, 573, 647,
679, 713, 1266, 1269.

MOORE COUNTY-Contd.

H	753	ABERDEEN/SOUTHERN PINES BOUNDARY (Ch. SL 97-0253)	429, 497, 573, 648, 782, 808, 1266, 1269.
H	637	BROADWAY STAGGERED TERMS (Ch. SL 97-0416)	387, 496, 537, 1670, 1688.
H	600	FOXFIRE ASSESSMENT CLARIFICATION (Ch. SL 97-0451)	358, 1301, 1347, 1395, 1407, 1423, 1799.
H	866	MOORE/CARTERET SCHOOL BOARD ELECTION (Ch. SL 97-0389)	469, 509, 535, 1553, 1562, 1567, 1599.
H	84	PINEHURST COUNCIL TERMS (Postponed Indefinitely).....	68, 126, 139, 1266, 1305.

MOORE, RICHARD L.

BILLS INTRODUCED - 10, 13, 20, 21, 37, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 53, 54, 55, 78, 80, 82, 86, 87, 88, 89, 107, 108, 109, 110, 119, 126, 150, 151, 152, 153, 155, 157, 158, 159, 171, 193, 198, 230, 233, 264, 267, 271, 272, 273, 299, 312, 328, *340, 345, 347, 351, 374, 384, 389, 394, 395, 399, 406, 432, 512, 519, 527, 529, 540, 543, 550, 554, 555, 556, 557, 575, 662, 665, 672, 716, 739, 746, *751, 769, 770, *786, 864, 869, 871, 902, 905, 906, 907, 909, 911, 914, 915, 929, 930, 938, 943, 973, 975, 977, 979, 986, 1000, *1007, 1010, 1014, 1016, 1019, 1064, 1069, *1070, 1072, 1077, 1092, 1115, 1116, 1128, 1154, 1155, 1162, 1173, *1182, *1183, 1189, 1195, 1210, 1218, 1220, 1221, 1222, 1225.

COMMITTEE ASSIGNMENTS - Appropriations; Appropriations, Subcommittee on Capital and Budget; Education; Education, Subcommittee on Preschool, Elementary and Secondary Education; Transportation; Welfare Reform.

CONFeree: S.B. 297..... 1462.

CONFeree: S.B. 352..... 1141.

ESCORT FOR NORTH CAROLINA

TEACHER OF THE YEAR..... 1317.

EXCUSED ABSENCES..... 1353, 1366, 1376, 1397, 1653, 1673.

OATH..... 18.

OFFERS PRAYER..... 141, 1504.

SECONDS ADJOURNMENT..... 1601.

MORGAN, RICHARD T.

APPROVAL OF VOTE CHANGE ON H.B. 71..... 300.

APPROVAL OF VOTE CHANGE ON H.B. 843..... 1421.

MORGAN, RICHARD T.-Contd.

BILLS INTRODUCED - *84, *85, 248, 295, *305, *306, *307, 311, *515, *537, 538, 539, *546, 660, 665, *695, *753, 770, 964, 1067, 1155.

CHAIR OF ESCORT COMMITTEE FOR

COACH DEAN SMITH..... 1509.

COMMITTEE ASSIGNMENTS - Appropriations; Appropriations, Subcommittee on Transportation; Commerce; Commerce, Subcommittee on Public Utilities; Congressional Redistricting; Ethics; Finance; Finance, Subcommittee on Local, Regional, and State Revenues; Judiciary I; Rules, Calendar, and Operations of the House, Chair.

CONFeree: H.B. 431 1650.

CONFeree: H.B. 515 (Chair)..... 1483.

CONFeree: S.B. 32 (Chair) 1800.

CONFeree: S.B. 38 (Co-Chair) 438.

CONFeree: S.B. 352..... 1141.

MOTION TO RECALL H.B. 84 FROM SENATE..... 1266.

MOTION TO RECONSIDER VOTE ON

THIRD READING OF H.B. 84..... 1305.

MOTION TO STRIKE FROM

JOURNAL OF FEBRUARY 20..... 141.

MOTION TO SUSPEND RULES ON H.B. 357..... 843.

MOTION TO SUSPEND RULES ON H.B. 538..... 659.

OATH..... 18.

MORRIS, MIA

BILLS INTRODUCED - 3, 5, 12, 13, 18, 19, 20, 21, 22, 31, 37, 38, 50, 53, 54, 55, 86, 87, 89, 95, 107, 111, 126, 131, 139, 148, 151, 152, 154, 158, 159, 168, 170, 180, 186, 230, 239, 248, 256, 259, 263, 271, 275, 276, 282, 296, 301, 310, 312, 315, 316, 321, *339, 345, 349, 350, 361, 363, 370, 374, 389, 406, 413, 426, 427, 431, 432, 433, 454, 457, 459, 478, 480, 498, 501, 512, *524, *525, 536, 537, 538, 539, 543, *554, 555, 556, 557, 564, 573, 575, 584, 594, 639, 640, 641, 660, 662, 665, 668, 672, 679, 683, 707, 711, 716, 717, 736, 739, *743, 767, 769, 770, 796, 816, 824, *829, *830, 863, 864, 869, 878, 891, *902, 905, 907, 909, 911, 913, 914, 927, 928, *929, 930, 938, 939, 951, *955, 963, 964, 973, 975, 980, 982, 986, 1005, 1007, 1008, *1009, 1010, 1012, 1013, 1019, 1022, 1024, 1025, 1026, 1035, 1041, *1056, 1062, 1067, 1068, 1075, 1076, 1077, 1079, 1088, 1096, 1098, 11 01, 1102, 1113, 1115, 1116, 1121, 1128, 1152, 1155, *1156, *1157, 1162, 1177, 1191, 1195, 1199, 1204, 1236.

MORRIS, MIA-Contd.

COMMITTEE ASSIGNMENTS - Commerce; Commerce, Subcommittee on Business and Labor; Education; Education, Subcommittee on Preschool, Elementary and Secondary Education; Finance; Finance, Subcommittee on Local, Regional, and State Revenues; State Government; State Government, Subcommittee on Military, Veterans, and Indian Affairs, Chair; Welfare Reform.

CONFeree: H.B. 1156 (Chair).....	1716.
ESCORT FOR DR. JOHN HOPE FRANKLIN	1425.
ESCORT FOR GOVERNOR	69.
ESCORT FOR SPEAKER.....	25.
EXCUSED ABSENCES.....	1340, 1353.
MOTION TO RECONSIDER VOTE ON SECOND READING OF MATERIAL SENATE COMMITTEE SUBSTITUTE FOR H.B. 1156.....	1715.
OATH	18.
OFFERS PRAYER.....	263.
SECONDS ADJOURNMENT	365.

MOSLEY, JANE H.

APPROVAL OF VOTE CHANGE ON

JOURNAL OF APRIL 2	439.
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BILLS INTRODUCED - 2, 3, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 57, 58, 59, 60, 80, 82, 83, 86, 87, 88, 89, 95, 107, 108, 109, 110, 119, 126, 139, 143, 145, 150, 151, 152, 153, 154, 155, 156, 157, 171, 228, 230, 233, 244, 259, 264, 267, 271, 272, *293, *294, 299, 307, 308, 312, 328, 343, 345, 347, 351, 358, 366, 374, *376, *383, *384, 394, 399, 406, 432, 480, 481, 507, 527, 554, 555, 560, 561, 562, 563, 564, 575, 591, 640, 641, *664, 665, 672, 709, *711, 739, 746, 769, 791, 796, 808, 813, 841, 864, 871, 874, 879, 880, 881, 887, 895, *903, *904, 905, 906, 907, 908, 909, 911, 913, 915, 918, 925, 929, 934, 939, 943, *960, 973, 975, 977, 978, 979, 983, 984, 985, 1000, 1011, 1014, 1016, *1030, 1035, 1053, 1069, 1070, 1072, 1074, 1075, 1080, 1084, 1085, 1091, 1096, 1115, 1129, 1139, 1140, 1154, 1155, 1163, 1173, 1177, 1180, 1186, 1188, 1195, 1203, 1206, 1210, 1218, 1220, 1221, 1222, 1223, 1224, 1230, 1231.

COMMITTEE ASSIGNMENTS - Appropriations; Appropriations, Subcommittee on Capital and Budget; Education; Education, Subcommittee on Preschool, Elementary and Secondary Education; Environment; Transportation.

ESCORT FOR UNITED STATES SENATOR

JESSE A. HELMS	1027.
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MOSLEY, JANE H.-Contd.

EXCUSED ABSENCES.....	91, 200, 344, 555, 845, 868, 946, 1188, 1459, 1539, 1673.
OATH.....	18.
OFFERS PRAYER.....	167.

MOTOR VEHICLES (G.S. 20)

H 115	1997 TECHNICAL CORRECTIONS (Ch. SL 97-0456)	88, 523, 567, 625, 1790, 1791, 1802, 1803, 1805, 1816.
S 167	60 DAYS TO CHANGE DIVISION OF MOTOR VEHICLE INFORMATION (Ch. SL 97-0122).....	253, 425, 936, 963, 971, 986, 1071.
H 266	ADJUST LICENSE WEIGHT (Ch. SL 97-0036)	127, 332, 354, 522, 667.
H 584	ATTEMPTING TO ELUDE ARREST (Senate)	348, 365, 661, 687, 717, 722.
S 60	CLARIFY LEFT-TURN RULES (Ch. SL 97-0405)	253, 1296, 1342, 1501, 1539, 1619.
S 570	CLEAN WATER LICENSE PLATE (Finance)	1013, 1189.
H 1041	CONSUMER PROTECTION/DAMAGE DISCLOSURE (Transportation)	602.
H 1229	DARKER VEHICLE WINDOW FOR LUPUS (Appropriations).....	951, 1094, 1217.
H 1095	DEALER PLATE FOR BUSINESS ONLY (Transportation) (S 1059).....	613.
S 1059	DEALER PLATE FOR BUSINESS ONLY (Ch. SL 97-0335) (H 1095).....	825, 1072, 1136, 1352, 1384, 1470.
H 502	DEFINITION OF MOTOR VEHICLE DEALER (Failed 2nd Reading).....	266, 696, 785, 792, 831, 950, 1332, 1373, 1422, 1551, 1590, 1630.
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CHAIR OF ESCORT COMMITTEE FOR

UNITED STATES SENATOR JESSE A. HELMS 1027.

COMMITTEE ASSIGNMENTS - Appropriations; Appropriations,
 Subcommittee on Capital and Budget; Commerce; Commerce,
 Subcommittee on Public Utilities; Environment; Ethics; Finance;
 Finance, Subcommittee on Local, Regional, and State Revenues;
 Judiciary II, Chair; Rules, Calendar, and Operations of the House.

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CONFeree: H.B. 183 1612.

CONFeree: S.B. 157 1606.

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COMMITTEE ASSIGNMENTS - Finance; Human Resources; Human
 Resources, Subcommittee on Families; Judiciary II; State Government;
 State Government, Subcommittee on State Parks, Facilities and
 Property.

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COMMITTEE ASSIGNMENTS - Agriculture; Commerce; Commerce,
Subcommittee on Financial Institutions; Education; Education,
Subcommittee on Universities; Environment; Finance; Transportation.

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COMMITTEE ASSIGNMENTS - Appropriations; Appropriations,
Subcommittee on Human Resources, Ranking Minority Member;
Commerce; Commerce, Subcommittee on Public Utilities; Education;
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COMMITTEE ASSIGNMENTS - Appropriations; Appropriations, Subcommittee on Education; Congressional Redistricting; Education; Education, Subcommittee on Universities, Ranking Minority Member; Pensions and Retirement; Public Employees.	
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COMMITTEE ASSIGNMENTS - Agriculture; Appropriations; Appropriations, Subcommittee on Natural and Economic Resources, Ranking Minority Member; Education; Education, Subcommittee on Community Colleges; Local and Regional Government II, Ranking Minority Member; Ways and Means, Ranking Minority Member.

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*1152, 1155, 1162, 1173, 1177, 1195, 1231.

COMMITTEE ASSIGNMENTS - Commerce; Commerce, Subcommittee on Business and Labor; Education; Education, Subcommittee on Community Colleges, Chair; Election Law and Campaign Reform; Finance; Finance, Subcommittee on Local, Regional, and State Revenues; Human Resources; Human Resources, Subcommittee on Aging; Transportation.

CONFEEEE: S.B. 727 1606.

OATH 18.

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H	635	ADDITION TO STATE PARKS SYSTEM (Approp - Capital & Budget) (S 537).....	375, 653, 685, 903.
S	537	ADDITION TO STATE PARKS SYSTEM (Ch. SL 97-0276) (H 635).....	708, 921, 1163, 1206, 1222, 1283, 1329.
H	368	AMEND BILL LEE ACT (Finance) (Included Ch. SL 97-0443) (S 316).....	179, 318.
S	316	AMEND BILL LEE ACT (Ch. SL 97-0277) (Included Ch. SL 97-0443) (H 368).....	485, 645, 876, 892, 907, 910, 917, 928, 998, 1004, 1217, 1237, 1255, 1268, 1270, 1355.
H	946	AMEND NORTH CAROLINA APPRAISERS ACT (Rules, Calendar & Operations of the House) (S 809).....	544.
S	809	AMEND NORTH CAROLINA APPRAISERS ACT (Rules, Calendar & Operations of the House) (H 946).....	800, 1092, 1184, 1194, 1225, 1292.
H	388	AMEND TRESPASS OFFENSES (Calendar Pursuant Rule 36(a)).....	190, 730.
H	1075	APPRECIATION OF REVERSE MORTGAGES (Senate)	609, 700, 762, 821, 829.
H	1121	BROWNFIELDS PROPERTY REUSE ACT (Ch. SL 97-0357)	618, 933, 1136, 1174, 1182, 1459, 1507.
H	224	BROWNFIELDS/PROPERTY USE RESTRICTIONS (Rules, Calendar & Operations of the House) (S 125).....	115, 662, 775.
S	125	BROWNFIELDS/PROPERTY USE RESTRICTIONS (Ch. SL 97-0394) (H 224).....	706, 1252, 1485, 1518, 1603.
H	301	CHILD SUPPORT/FEDERAL REQUIREMENTS (Ch. SL 97-0433)	143, 701, 949, 1165, 1183, 1585, 1612, 1629, 1638.
S	250	CLARIFY PERFECTION-SECURITY INTEREST (Ch. SL 97-0386)	585, 869, 1490, 1494, 1568.
H	1081	CONDEMNATION AWARDS (Approp - Transportation).....	610, 1232, 1279, 1303.

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H	260	CONSERVATION EASEMENTS/TAX CREDIT (Ch. SL 97-0226) (Included Ch. SL 97-0443)	123, 370, 481, 551, 564, 1138, 1152, 1158, 1249.
S	251	CREATION OF EASEMENTS BY LANDOWNER (Ch. SL 97-0333)	586, 900, 1337, 1351, 1384, 1470.
H	980	CROP ALLOTMENT TAX APPRAISAL (Finance) (H 1015)	581, 1137.
H	1015	CROP ALLOTMENT TAX APPRAISAL (Agriculture) (H 980)	597.
H	48	DOWNTOWN DATABASE (Commerce) (S 819)	53, 157.
S	819	DOWNTOWN DATABASE (Commerce) (H 48)	851.
H	794	ENGINEERING AND LAND SURVEYING CHANGES (Senate)	450, 1046, 1216, 1339, 1496, 1532, 1544.
H	282	EXEMPT CONTRACTORS' INVENTORY (Commerce)	132.
H	37	EXPAND HOMESTEAD EXEMPTION (Finance)	51.
H	227	INACTIVE HAZARDOUS SITES RECORDATION (Ch. SL 97-0528) (S 114)	116, 495, 552, 1190, 1203, 1211, 1221, 1223, 1310, 1651, 1658, 1730, 1749.
H	202	INCREASE MINIMUM UPSET AMOUNT (Ch. SL 97-0119)	110, 158, 195, 360, 969, 984, 991, 1071.
S	891	LOCAL GOVERNMENT CONTRACTING (Ch. SL 97-0174)	767, 885, 943, 1068, 1160.
S	317	LOCAL GOVERNMENT DEBT CHANGES (Finance)	802.
H	1070	LOCAL OPTION HOMESTEAD RELIEF (Ways & Means) (S 421)	607.
S	421	LOCAL OPTION HOMESTEAD RELIEF (Ways & Means) (H 1070)	708.
S	114	LOCAL WATER QUALITY/LEAKING UNDERGROUND STORAGE TANK CLEANUP (Ch. SL 97-0493) (H 227)	499, 1417, 1713, 1748.
H	597	MUNICIPAL HOSPITAL/LEASE VENTURE (Ch. SL 97-0233)	357, 701, 778, 1151, 1164, 1169, 1250.

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H	246	NATURAL HERITAGE TRUST FUND AMENDED (Approp - Capital & Budget) (S 178)	120, 385.
S	178	NATURAL HERITAGE TRUST FUND AMENDED (Ch. SL 97-0366) (H 246).....	707, 1157, 1299, 1432, 1468, 1549.
H	295	NO TAX ON INTANGIBLE PROPERTY (Ch. SL 97-0023)	142, 264, 302, 313, 519, 530, 531, 575.
S	801	NORTH CAROLINA PLANNED COMMUNITY ACT (Commerce)	709.
H	514	PROPERTY TAX CLERICAL ERROR (Finance) (Included Ch. SL 97-0483)	275.
H	605	REAL ESTATE BROKER'S CONTINUING EDUCATION (Rules, Calendar & Operations of the House).....	358.
H	1100	REGISTER OF DEEDS' MATTERS (Finance)	614, 699.
H	899	RESIDENTIAL PROPERTY DISCLOSURE ACT (Ch. SL 97-0472)	484, 690, 721, 1624, 1646, 1654.
S	106	SALE OF PROPERTY FOR UNPAID TAXES (Ch. SL 97-0121)	192, 900, 931, 943, 991, 1071.
H	64	SCHOOL BOARD LEASES OF SCHOOL BUILDINGS (Education) (S 71).....	58.
S	71	SCHOOL BOARD LEASES OF SCHOOL BUILDINGS (Ch. SL 97-0236) (H 64).....	172, 186, 490, 503, 1073, 1146, 1168, 1250.
S	844	STRENGTHEN OPEN GOVERNMENT (Ch. SL 97-0290)	852, 1151, 1241, 1283, 1356.
H	768	WATER AUTHORITY PROPERTY (Finance)	445, 751.

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H	585	CONGRESSIONAL REDISTRICTING (Congressional Redistricting).....	348, 1483.
H	586	CONGRESSIONAL REDISTRICTING (Ch. SL 97-0011)	331, 348, 369, 378, 395, 396.
H	599	CONGRESSIONAL REDISTRICTING (Congressional Redistricting).....	357.
H	901	CONGRESSIONAL REDISTRICTING (Rules, Calendar & Operations of the House).....	497.

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H 322	INDEPENDENT CONGRESSIONAL REDISTRICTING COMMISSION (Rules, Calendar & Operations of the House).....	152.
H 52	INDEPENDENT REDISTRICTING COMMISSION (Congressional Redistricting).....	54, 216.

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APPROVAL OF VOTE CHANGE ON S.B. 53.....	1533.
APPROVAL OF VOTE CHANGE ON S.B. 69.....	1154.
APPROVAL OF VOTE CHANGE ON S.B. 851.....	1781.
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COMMITTEE ASSIGNMENTS - Appropriations; Appropriations, Subcommittee on Justice and Public Safety; Commerce; Commerce, Subcommittee on Business and Labor; Judiciary II; Welfare Reform.	
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H 456	REGISTER OF DEEDS - NO ABUSE INFORMATION (Ch. SL 97-0136) (S 479)	235, 671, 725, 1007, 1108.
S 479	REGISTER OF DEEDS - NO ABUSE INFORMATION (Human Resources) (H 456)	636.
H 1100	REGISTER OF DEEDS' MATTERS (Finance)	614, 699.

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S	875	REVISE RECORDS LAWS (Ch. SL 97-0309)	1072, 1162, 1225, 1263, 1274, 1278, 1320, 1414.
H	7	TERM LIMITS/LEGISLATURE/CONFORM (Election Law & Campaign Reform)	43.

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S	801	NORTH CAROLINA PLANNED COMMUNITY ACT (Commerce)	709.
H	899	RESIDENTIAL PROPERTY DISCLOSURE ACT (Ch. SL 97-0472)	484, 690, 721, 1624, 1646, 1654.

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H	1	1997 HOUSE PERMANENT RULES (Adopted)	29.
H	1160	BOARD OF GOVERNORS VACANCY (Rules, Calendar & Operations of the House).....	675.
H	520	COMMEMORATE MUSEUM OF ART'S FIFTIETH ANNIVERSARY (Adopted).....	297, 317, 321, 376.
H	1244	COMMEMORATING INDIA'S INDEPENDENCE (Adopted)	1584, 1721, 1738.
H	172	ELECT UNC BOARD OF GOVERNORS (Rules, Calendar & Operations of the House).....	101, 141.
H	323	ESTABLISH PROCEDURE TO NOMINATE AND ELECT MEMBERS/BOARD OF GOVERNORS/ UNIVERSITY OF NORTH CAROLINA (Adopted)	141, 153, 158, 175, 306.
H	1202	HONOR J. HAYWOOD ALLEN, SR. (Adopted)	845, 1054.
H	21	HONOR JOHN SHORTRIDGE/HAMLET (Adopted)	46, 321, 530.
H	310	SUPPORT BALANCED BUDGET AMENDMENT (Rules, Calendar & Operations of the House).....	145.

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S	1089	1997 ADJOURNMENT (Rules, Calendar & Operations of the House)....	1770.
H	306	ADJOURNMENT RESOLUTION (Ch. Res. 97-33)	144, 1792, 1811, 1814.
H	1175	AGRICULTURE AWARENESS MONTH (Rules, Calendar & Operations of the House).....	738.

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S	107	CONFIRM WILLIAM R. PITTMAN/ UTILITIES COMMISSION (Calendar Pursuant Rule 36(a)).....	242, 556.
H	1004	CONFIRMATION OF APPOINTMENTS TO THE STATE BOARD OF EDUCATION (Ch. Res. 97-22).....	585, 1343, 1382, 1383.
S	1078	CONFIRMATION/RICHARD CONDER/ NORTH CAROLINA UTILITIES COMMISSION (Ch. Res. 97-19).....	963, 1231, 1293, 1294.
H	1238	CONFIRMATION/ROBERT V. OWENS/ UTILITIES COMMISSION (Ch. Res. 97-32).....	1228, 1254, 1775, 1799.
H	25	CONSUMER PROTECTION/LRC STUDY (Rules, Calendar & Operations of the House) (Included Ch. SL 97-0483)	48.
H	1192	FUTURE OF COURTS/LRC STUDY (Rules, Calendar & Operations of the House) (Included Ch. SL 97-0483)	790.
H	107	GUARDIAN AD LITEM/LRC STUDY (Rules, Calendar & Operations of the House) (Included Ch. SL 97-0483)	86.
H	1232	HONOR ADOLPH LORENZ DIAL (Senate)	962, 1038, 1083.
H	1239	HONOR BARNEY PAUL WOODARD (Ch. Res. 97-24).....	1361, 1401, 1419, 1427.
H	398	HONOR BASIL DUKE BARR (Ch. Res. 97-05).....	203, 321, 476, 481.
S	211	HONOR BILLY GRAHAM (Ch. Res. 97-08).....	796, 812, 813, 828.
H	1234	HONOR BRADFORD VERDIZE LIGON (Senate)	970, 1038, 1213.
H	1236	HONOR CALVIN LEE KOONCE, JR. (Ch. Res. 97-30).....	1179, 1343, 1515, 1561.
S	1080	HONOR CHARLES DUNN (Ch. Res. 97-17).....	1125, 1161, 1167, 1169.
H	1243	HONOR CHARLES KURALT (Calendar Pursuant Rule 36(a)) (S 1087).....	1480, 1496.
S	414	HONOR COACH DEAN EDWARDS SMITH (Ch. Res. 97-28).....	1171, 1229, 1264, 1277, 1301, 1509, 1522, 1530.

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H	498	HONOR COLONEL HENRY ELI KENDALL, JR./ CONGRESS DEVOLVE UNEMPLOYMENT INSURANCE SYSTEM (Rules, Calendar & Operations of the House).....	252.
H	1240	HONOR DAVID E. REYNOLDS (Ch. Res. 97-26).....	1361, 1401, 1478, 1480.
H	683	HONOR DR. JOY JOSEPH JOHNSON (Ch. Res. 97-06).....	400, 556, 594, 630.
H	376	HONOR EARLY SUPPORTERS OF DURHAM PUBLIC LIBRARY (Senate).....	181, 317, 321, 436.
H	1235	HONOR EDGAR M. "LONESOME ED" MCKNIGHT (Ch. Res. 97-16).....	1063, 1091, 1145, 1149.
H	1227	HONOR GORDON HICKS GREENWOOD (Ch. Res. 97-15).....	916, 960, 1118, 1121.
S	1081	HONOR JACKIE ROBINSON/ WALTER "BUCK" LEONARD (Ch. Res. 97-29).....	1211, 1498, 1557, 1561.
H	371	HONOR JAMES ERWIN LAMBETH, JR. (Ch. Res. 97-04).....	180, 321, 351, 356.
H	1153	HONOR JESSE FRANKLIN/FRANKLINVILLE (Ch. Res. 97-20).....	656, 753, 807, 912, 966, 1321.
H	1191	HONOR LOYD EDWARD AUMAN (Ch. Res. 97-18).....	790, 1091, 1165, 1207, 1210.
H	956	HONOR MAJOR MATTHEW TILGHMAN GOLDSBOROUGH/GOLDSBORO'S ONE HUNDRED FIFTIETH ANNIVERSARY (Calendar Pursuant Rule 36(a)) (S 871).....	546, 752, 806, 912.
S	871	HONOR MAJOR MATTHEW TILGHMAN GOLDSBOROUGH/GOLDSBORO'S ONE HUNDRED FIFTIETH ANNIVERSARY (Ch. Res. 97-14) (H 956)	1053, 1060.
H	1237	HONOR MAZIE SPENCER WOODRUFF (Ch. Res. 97-21).....	1191, 1229, 1322, 1329.
H	664	HONOR RUSSELL ATKINSON SWINDELL (Ch. Res. 97-12).....	391, 556, 940, 968.
S	1082	HONOR THOMAS B. SAWYER, SR. (Ch. Res. 97-27).....	1516, 1518.
S	164	HONOR WESLEY DAVIS WEBSTER (Ch. Res. 97-13).....	1022, 1027.
H	322	INDEPENDENT CONGRESSIONAL REDISTRICTING COMMISSION (Rules, Calendar & Operations of the House).....	152.

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- S 18 INVITE GOVERNOR
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- H 1054 JOINT SESSION/CONFIRMATION OF MEMBERS
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- H 1241 JOINT SESSION/INVITE DR. JOHN HOPE
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1414, 1425, 1428, 1436.
- S 1072 JOINT SESSION/INVITE JESSE A. HELMS,
UNITED STATES SENATOR/GOVERNOR HUNT
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- H 1155 JOINT SESSION/INVITE REVEREND
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- S 340 JOINT SESSION/INVITE REVEREND BILLY
GRAHAM/GOVERNOR HUNT
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- S 334 JOINT SESSION/INVITE WILLIAM J. CLINTON,
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263, 276.
- H 163 MUNICIPALITIES INCORPORATION/LRC STUDY
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- H 1165 PUBLIC OFFICIALS CONFLICTS/LRC STUDY
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- H 1201 SANITARIAN REQUIREMENTS/LRC STUDY
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- H 1152 SETTING DATE TO ELECT STATE
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- H 377 SOUTHEASTERN COMMUNITY COLLEGE FUNDS
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- H 1101 SUPPORT TEACHERS EFFORTS
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- H 1205 SUPPORTING ECONOMIC SECURITY 2000
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- H 40 WATER ISSUES/CONTINUED
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- S 565 VARIABLE RATE LOANS
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- H 642 1997 RETIREMENT BENEFITS ACT
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- H 115 1997 TECHNICAL CORRECTIONS
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- H 379 AMEND CHARTER SCHOOLS LAWS
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- S 297 AMEND CHARTER SCHOOLS LAWS
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1541, 1554, 1566, 1573, 1690.
- H 1063 AMEND PSYCHOLOGY PRACTICE ACT
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- H 493 CURRENT OPERATIONS APPROPRIATIONS ACT
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- S 352 CURRENT OPERATIONS APPROPRIATIONS ACT
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1101, 1124, 1141, 1723, 1725, 1729, 1748.
- H 562 DIRECT PAYMENT/SUBSTANCE ABUSE
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- S 1016 DIRECT PAYMENTS/SUBSTANCE ABUSE
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- H 184 EXEMPT STATE HEALTH PLAN FROM
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- S 299 LONG-TERM CARE BENEFITS
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- H 563 MENTAL HEALTH PARITY
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S	205	REPEAL RETIREMENT RESTRICTION (Rules, Calendar & Operations of the House)....	1625.
H	1118	RESTORE SUSPENDED BENEFITS (Pensions & Retirement)	618.
H	1022	RETIREMENT SERVICE TRANSFER (Appropriations).....	598, 665.
S	853	REVENUE OFFICERS' POLICE POWERS (Ch. SL 97-0503)	1347, 1722, 1724, 1745, 1779, 1782, 1810.
H	984	SOIL AND WATER SUPERVISOR HEALTH BENEFITS (Appropriations)	581, 703.
H	868	STATE EMPLOYEE TEMPOROMANDIBULAR JOINT APPLIANCE BENEFITS (Calendar Pursuant Rule 36(a)).....	470, 764.
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H	435	STATE HEALTH PLAN TECHNICAL AMENDMENTS (Ch. SL 97-0512)	232, 365, 1225, 1605, 1665, 1718, 1751, 1775, 1797.
S	932	STRENGTHEN MANAGED CARE REGULATIONS (Ch. SL 97-0519)	1221, 1773, 1776, 1779, 1811.

REYNOLDS, DENNIS A.

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COMMITTEE ASSIGNMENTS - Agriculture; Appropriations; Appropriations, Subcommittee on Education; Commerce; Commerce, Subcommittee on Public Utilities; Local and Regional Government I; State Government; State Government, Subcommittee on State Parks, Facilities and Property; Technology, Chair.

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H	714	RICHMOND LOCAL ACT (Rules, Calendar & Operations of the House).....	412.

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H	1081	CONDEMNATION AWARDS (Approp - Transportation).....	610, 1232, 1279, 1303.
H	493	CURRENT OPERATIONS APPROPRIATIONS ACT (Appropriations) (S 352).....	242.
S	352	CURRENT OPERATIONS APPROPRIATIONS ACT (Ch. SL 97-0443) (H 493).....	688, 1073, 1080, 1095, 1101, 1124, 1141, 1723, 1725, 1729, 1748.
S	884	DEPARTMENT OF TRANSPORTATION INFRASTRUCTURE BANK PROGRAM (Ch. SL 97-0428)	637, 996, 1318, 1378, 1514, 1525, 1561, 1689.
S	417	HIGHWAY CONTRACT BONDING REQUIREMENTS (Judiciary I)	786, 1047, 1181.
H	529	NO TAX ROLLBACK ON CONDEMNATION (Ch. SL 97-0270)	310, 870, 893, 907, 1180, 1192, 1204, 1209, 1313.
H	91	NONBETTERMENT RELOCATION COSTS (Approp - Capital & Budget)	71, 136, 382.
S	465	NORTH CAROLINA DEPARTMENT OF TRANSPORTATION ENGINEERING/ DESIGN CONTRACTS (Ch. SL 97-0196)	676, 979, 1127, 1133, 1198.

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H	983	NORTH CAROLINA RAILROAD ACQUISITION (Appropriations) (Included Ch. SL 97-0443).....	581.
H	1100	REGISTER OF DEEDS' MATTERS (Finance)	614, 699.
H	1094	REPEAL/RECODIFY RAILROAD LAWS (Senate)	613, 734, 1093, 1147, 1156.
S	875	REVISE RECORDS LAWS (Ch. SL 97-0309)	1072, 1162, 1225, 1263, 1274, 1278, 1320, 1414.
H	436	STATE HEALTH PLAN SUBSTANTIVE CHANGES (Insurance)	232, 365, 1225.

ROBESON COUNTY

H	700	14TH HOUSE DISTRICT (Rules, Calendar & Operations of the House).....	403.
H	314	ABOLISH ROBESON CORONER (Ch. SL 97-0051)	151, 542, 564, 923, 944.
S	447	LUMBERTON ECONOMIC DEVELOPMENT DISTRICT (Ch. SL 97-0182)	485, 949, 976, 995, 1022, 1051, 1089, 1169.
S	585	LUMBERTON/SHELBY ROOM TAX CHANGES (Ch. SL 97-0361)	765, 1216, 1254, 1344, 1475, 1483, 1518, 1530.

ROCKINGHAM COUNTY

H	1114	BAD CHECK COLLECTIONS PILOT (Senate)	617, 1067, 1377, 1454, 1465.
S	378	COUNTY SUPERVISE PRISONERS (Ch. SL 97-0303)	499, 1045, 1349, 1351, 1364, 1385, 1398.
S	105	LOCAL ORTHOPHOTOGRAPHY BOUNDARIES (Calendar Pursuant Rule 36(a)).....	192, 1010.
H	870	LOCAL WORKING OF PRISONERS (Senate)	470, 633, 697, 833.
H	655	MADISON ANNEXATION (Ch. SL 97-0251)	390, 689, 702, 758, 854, 877, 1266, 1269.
H	844	REIDSVILLE ANNEXATION RESTRICTED (Ch. SL 97-0360)	465, 646, 702, 759, 856, 878, 1505, 1519.
H	595	REIDSVILLE ANNEXATIONS (Rules, Calendar & Operations of the House) (S 356).....	350, 645, 671, 758, 854, 876.

ROCKINGHAM COUNTY-Contd.

S	356	REIDSVILLE ANNEXATIONS (Ch. SL 97-0343) (H 595).....	675, 887, 926, 983, 1001, 1015, 1112, 1218, 1434, 1466, 1473, 1480, 1481, 1487.
H	647	ROCKINGHAM LOCAL ACT (Rules, Calendar & Operations of the House).....	388.
H	894	STONEVILLE FOUR-YEAR TERMS (Senate) (S 723)	475, 646, 682.
S	723	STONEVILLE FOUR-YEAR TERMS (Rules, Calendar & Operations of the House) (H 894)	766.
H	654	TRANSFER ROCKINGHAM CORRECTIONAL CENTER (Appropriations)	390.
H	588	UNLAWFUL TO REMOVE COLLARS (Senate)	348, 442, 488, 489.
S	58	UNLAWFUL TO REMOVE DOG COLLARS (Ch. SL 97-0150)	153, 992, 1017, 1050, 1064, 1074, 1099, 1109.
H	653	WENTWORTH CHARTER AMENDMENTS (Ch. SL 97-0322)	389, 645, 671, 758, 879, 888, 915, 928, 941, 1459, 1469.

ROGERS, R. EUGENE

BILLS INTRODUCED - 41, 43, 46, 48, 50, 64, *78, 86, 87, 88, 89, 90, 99, 100, 107, 108, 109, 110, 183, 223, 248, *304, 351, 361, 454, 482, 512, 519, *545, *589, *627, *701, *702, 739, 746, 757, 769, 770, 796, 813, 864, 905, 906, 939, 943, 957, *989, *999, 1014, *1044, 1116, 1128, 1154, 1155, 1177, 1195, 1218.	
COMMITTEE ASSIGNMENTS - Agriculture; Appropriations; Appropriations, Subcommittee on Education, Ranking Minority Member; Commerce; Commerce, Subcommittee on Public Utilities; Local and Regional Government I, Ranking Minority Member; Pensions and Retirement, Ranking Minority Member.	
CONFeree: S.B. 272.....	927.
CONFeree: S.B. 343.....	1697.
EXCUSED ABSENCES.....	148, 522, 575, 666, 1196, 1328, 1340, 1686.
OATH	18.
SECONDS ADJOURNMENT	728, 1067, 1297.

ROLLER SKATING RINK SAFETY AND LIABILITY (G.S. 99F)

H	176	EQUINE ACTIVITIES/SKATING RINK LIABILITY (Ch. SL 97-0376)	105, 643, 717, 1472, 1482, 1487, 1550.
H	795	ROLLER SKATING RINK LIABILITY (Judiciary I)	450, 700.

ROWAN COUNTY

H	340	KANNAPOLIS PROPERTY ACQUISITIONS (Ch. SL 97-0295)	162, 511, 535, 1354, 1367.
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RULES OF CIVIL PROCEDURE (G.S. 1A) -**also see CIVIL PROCEDURE**

H	261	ADMINISTRATIVE PROCEDURE ACT TECHNICAL CHANGES (Judiciary I) (S 187)	124.
S	187	ADMINISTRATIVE PROCEDURE ACT TECHNICAL CHANGES (Ch. SL 97-0034) (H 261)	299, 458, 506, 520, 522, 667.
H	872	AMEND CIVIL PROCEDURE RULES (Senate)	471, 774, 842.
H	1086	AMEND OFFER OF JUDGMENT RULE (Senate)	611, 772, 829.
S	372	TIME LIMITS FOR FOREIGN SERVICE (Ch. SL 97-0469)	802, 1342, 1647, 1669.
S	919	UNLAWFUL TELECOMMUNICATIONS (Ch. SL 97-0372)	796, 1360, 1387, 1409, 1443, 1479, 1550.

RULES, HOUSE OF REPRESENTATIVES - see APPENDIX for text

H	1	1997 HOUSE PERMANENT RULES (Adopted)	29.
		PERMANENT RULES, SUSPENSION OF	
		Rule 20 (c)	154.
		Rule 28 (e)	642, 1066, 1680.
		Rule 31 (a)	1391.
		Rule 41 (a)	1022, 1498.
		Rule 41 (b)	489.
		Rule 43.3	1410.

RULES REVIEW COMMISSION

H	261	ADMINISTRATIVE PROCEDURE ACT TECHNICAL CHANGES (Judiciary I) (S 187)	124.
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RULES REVIEW COMMISSION-Contd.

S	187	ADMINISTRATIVE PROCEDURE ACT TECHNICAL CHANGES (Ch. SL 97-0034) (H 261).....	299, 458, 506, 520, 522, 667.
H	493	CURRENT OPERATIONS APPROPRIATIONS ACT (Appropriations) (S 352).....	242.
S	352	CURRENT OPERATIONS APPROPRIATIONS ACT (Ch. SL 97-0443) (H 493).....	688, 1073, 1080, 1095, 1101, 1124, 1141, 1723, 1725, 1729, 1748.
S	815	SPEAKER/PRO TEM APPOINTMENTS (Ch. SL 97-0495)	1718, 1751, 1783, 1790, 1816.
S	182	WILDLIFE COMMISSION TEMPORARY RULES (Ch. SL 97-0403)	585, 1234, 1277, 1326, 1446, 1475, 1484, 1485, 1489, 1539, 1618.

RULINGS BY THE SPEAKER - see BRUBAKER, HAROLD J.**RUSSELL, CAROLYN B.**

APPOINTMENT AS CHAIR OF SELECT COMMITTEE FOR PERSONNEL REVIEW	196.
APPROVAL OF VOTE CHANGE ON CONFERENCE REPORT FOR S.B. 316	1237.
BILLS INTRODUCED - 3, 5, 19, 20, 60, 108, 109, 110, 127, 131, 138, 139, 140, 180, 183, 248, 256, 259, 271, 272, 308, *315, *316, 345, 351, 358, 374, *406, 432, 482, 512, 533, 534, 535, 536, 537, 538, 539, 543, 554, 555, 556, 557, 575, 641, 665, 667, 672, 704, 716, 739, *746, *765, 769, 770, 796, *812, 813, 814, 824, 864, 869, 905, 907, *908, 909, 911, *913, 914, 929, *930, 941, 951, *956, 957, 964, 980, 985, *1003, *1004, *1015, 1019, 1039, *1054, *1055, 1062, 1063, 1067, 1092, 1096, 1098, 1099, *1100, 1115, 1128, 1154, 1155, 1177, 1195, 1204, 1231, 1243.	
COMMITTEE ASSIGNMENTS - Appropriations; Appropriations, Subcommittee on Capital and Budget, Co-Chair; Congressional Redistricting; Education, Co-Chair; Ethics; Finance; Insurance; Insurance, Subcommittee on Health; Judiciary II.	
CONFEREE: H.B. 1108	1590.
CONFEREE: S.B. 297	1462.
CONFEREE: S.B. 352	1141.
CONFEREE: S.B. 442	1286.
CONFEREE: S.B. 676 (Chair)	1622.
ESCORT FOR REVEREND BILLY GRAHAM	853.
EXCUSED ABSENCES	65, 395, 590, 1068, 1353, 1366.
NOMINATED SPEAKER PRO TEMPORE	31.

RUSSELL, CAROLYN B.-Contd.

OATH	18.
OFFERS PRAYER	199.
PRESIDING	1524.

RUTHERFORD COUNTY

S 290	RUTHERFORDTON ALCOHOLIC BEVERAGE CONTROL DISTRIBUTIONS (Ch. SL 97-0098)	326, 993, 1018, 1026, 1042.
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SALARIES, FEES, AND ALLOWANCES (G.S. 138)

H 493	CURRENT OPERATIONS APPROPRIATIONS ACT (Appropriations) (S 352)	242.
S 352	CURRENT OPERATIONS APPROPRIATIONS ACT (Ch. SL 97-0443) (H 493)	688, 1073, 1080, 1095, 1101, 1124, 1141, 1723, 1725, 1729, 1748.
H 127	INCREASE STATE EMPLOYEE TRAVEL RATES (Appropriations)	92, 368.

SAMPSON COUNTY

H 876	SAMPSON LOCAL ACT (Rules, Calendar & Operations of the House)	471.
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SANITARIANS AND WATER AND WASTEWATER**TREATMENT FACILITY OPERATORS (G.S. 90A)**

H 211	AMEND ENVIRONMENTAL LAWS (Ch. SL 97-0496) (S 194)	112, 556, 628, 1509, 1719, 1760, 1796.
S 194	AMEND ENVIRONMENTAL LAWS (Returned to Senate for Concurrence) (H 211)	796, 1471, 1485.
H 515	CLEAN WATER/ENVIRONMENTALLY SOUND POLICY ACT (Ch. SL 97-0458) ...	275, 664, 746, 1210, 1471, 1482, 1503, 1520, 1700, 1703, 1705, 1718.

SANITATION

S 929	ENHANCE CHILD CARE (Ch. SL 97-0506)	797, 1600, 1662, 1695, 1714, 1734, 1796.
S 245	INSTALLMENT PURCHASE/SEWER DISTRICT (Environment)	788.

SANITATION-Contd.

H	165	LODGING ESTABLISHMENTS/SANITATION (Senate) (S 208)	100, 364, 411, 756, 785.
S	208	LODGING ESTABLISHMENTS/SANITATION (Ch. SL 97-0367) (H 165).....	475, 1330, 1463, 1468, 1549.
H	771	SANITARY DISTRICT STAGGERED TERMS (Ch. SL 97-0117)	446, 662, 688, 957, 1070.

SAUNDERS, DREW P.

BILLS INTRODUCED - 22, 82, 108, 109, 110, 122, 171, 235, 248,
264, 271, 272, 309, 312, 341, 342, 344, 347, 351, 372, 374, 399,
405, 406, *412, 432, 433, 519, 527, 554, 555, *570, 575, 591, 612,
639, 665, 708, 709, 716, 739, 746, 766, 769, 770, 813, 814, 864,
871, 905, 906, 907, 909, 911, 934, 939, 943, 979, 985, 986, 987,
1010, 1014, 1016, 1039, 1058, 1069, 1070, 1072, 1076, 1077,
1088, 1096, 1111, 1115, 1116, 1128, 1152, 1154, 1155, 1168,
1173, 1177, 1182, 1183, 1195, 1210, 1218, 1220, 1221, 1222,
1230, 1231.

COMMITTEE ASSIGNMENTS - Appropriations; Appropriations,
Subcommittee on Transportation; Commerce; Commerce,
Subcommittee on Business and Labor; Judiciary II; Local and
Regional Government I; Transportation.

EXCUSED ABSENCES..... 1505, 1517, 1529, 1539.

OATH..... 18.

OFFERS PRAYER..... 330.

SECONDS ADJOURNMENT 377.

SAVINGS BANKS (G.S. 54C); SAVINGS & LOANS (G.S. 54B) -

also see BANKS

H	916	PROHIBIT AUTOMATED TELLER MACHINE SURCHARGE (Commerce)	516.
S	329	SAVINGS BANK NAME (Ch. SL 97-0241)	351, 1047, 1100, 1147, 1176, 1251.

SCOTLAND COUNTY

H	710	LAURINBURG CONSTRUCTION (Ch. SL 97-0247)	405, 649, 682, 1248, 1269.
H	571	SCOTLAND COUNTY ACT (Rules, Calendar & Operations of the House).....	338.
H	715	SCOTLAND LOCAL ACT (Rules, Calendar & Operations of the House).....	412.

SCOTLAND COUNTY-Contd.

- H 418 VARIOUS LOCAL TAX CHANGES
(Ch. SL 97-0410) 221, 1400, 1410, 1417, 1434,
1451, 1585, 1609, 1628, 1638, 1655.

SECURITIES ACT, N.C. (G.S. 78A)

- H 134 INVESTMENT SECURITIES UNIFORM
COMMERCIAL CODE REWRITE
(Ch. SL 97-0181) 93, 248, 1099, 1161.
- H 466 SECURITIES/INVESTMENT ADVISERS
(Judiciary II) (S 439) 237, 1005, 1043, 1093.
- S 439 SECURITIES/INVESTMENT ADVISERS
(Ch. SL 97-0419) (H 466) 1079, 1447, 1530,
1564, 1578, 1637, 1688.
- S 438 SECURITIES/INVESTMENT ADVISERS
ENFORCEMENT
(Ch. SL 97-0462) 529, 1296, 1447, 1647, 1654.

SELECT COMMITTEES ON, APPOINTMENT OF

- FEDERAL EDUCATION GRANTS - see APPENDIX
- JUSTICE AND THE FUTURE OF THE COURTS 538.
- LIVING WILLS AND ORGAN DONORS - see APPENDIX
- PERSONNEL REVIEW 195.
- RURAL INFRASTRUCTURE DEVELOPMENT - see APPENDIX

SENATE

- CONFIRMATION OF GOVERNOR'S APPOINTMENTS TO
AGRICULTURE, NORTH CAROLINA
STATE BOARD OF 1670.
- EDUCATION, STATE BOARD OF 1381.
- TEACHERS' AND STATE EMPLOYEES'
RETIREMENT SYSTEM, BOARD OF TRUSTEES 1671.
- ELECTIONS BY
COMMUNITY COLLEGES, STATE BOARD OF 989.
- ORGANIZATION AND OFFICERS 40, 1449, 1457, 1537.

SETOFF DEBT COLLECTION ACT (G.S. 105A)

- S 39 MODIFY SETOFF DEBT COLLECTION
(Ch. SL 97-0490) 1605, 1619, 1735, 1765, 1794.
- S 1015 WELFARE REFORM ACT OF 1997
(Appropriations) 853, 1037.

SEX OFFENSES

H	187	AMEND PRIOR RECORD LEVEL CALCULATIONS (Judiciary II).....	107.
H	139	CLARIFY SEX OFFENDER REGISTRATION (Ch. SL 97-0015)	94, 177, 258, 356, 458.
H	493	CURRENT OPERATIONS APPROPRIATIONS ACT (Appropriations) (S 352)	242.
S	352	CURRENT OPERATIONS APPROPRIATIONS ACT (Ch. SL 97-0443) (H 493).....	688, 1073, 1080, 1095, 1101, 1124, 1141, 1723, 1725, 1729, 1748.
H	1132	DATE RAPE DRUGS (Ch. SL 97-0501) ...	621, 731, 838, 1733, 1762, 1797.
S	521	DEPARTMENT OF CORRECTION SEXUAL ASSAULT PILOT (Ch. SL 97-0288)	1141, 1202, 1260, 1283, 1356.
H	389	FELONY CHILD ABUSE/INCREASE PENALTY (Senate)	190, 320, 342.
S	320	NURSES' TRAINING (Ch. SL 97-0375)	586, 1080, 1146, 1177, 1292, 1295, 1325, 1373, 1444, 1486, 1550.
H	581	SEX EXPLOITATION ACT (Senate)	347, 643, 724.
H	930	SEX OFFENDER LAWS/FEDERAL COMPLIANCE (Judiciary II) (S 676).....	526.
S	676	SEX OFFENDER LAWS/FEDERAL COMPLIANCE (Ch. SL 97-0516) (H 930)....	1013, 1178, 1416, 1515, 1535, 1544, 1555, 1563, 1577, 1622, 1774, 1781, 1784, 1815.

SEXTON, P. WAYNE

APPROVAL OF VOTE CHANGE ON H.B. 275	1403.
APPROVAL OF VOTE CHANGE ON H.J.R. 320	182.
APPROVAL OF VOTE CHANGE ON JOURNAL OF APRIL 23	666.
BILLS INTRODUCED - 13, 22, 25, 37, 46, 47, 49, 50, 55, 74, 79, 80, 81, 86, 89, 92, 93, 94, 95, 109, 122, 124, 126, 131, 144, 158, 159, 162, 166, 167, 170, 171, *198, 208, 209, 212, 248, *265, 267, 270, 271, 272, 296, *299, 303, 310, 313, 315, 316, 318, 327, 329, 330, 334, 336, 345, 347, 351, 361, 363, 374, 379, 389, 410, 425, 426, 427, 431, *432, 433, 447, 462, 482, 518, 525, 527, 536, 537, 554, 555, 556, 557, 564, 588, *653, *654, *655, 660, 664, 665, 679, 682, 704, 707, 716, 736, 739, 746, 770, 796, 813, 845, 849, 864, 869, *894, 902, 905, 909, 914, 927, 929, 930, 934, 938, 941, 946,	

SEXTON, P. WAYNE-Contd.

964, 973, *975, 981, 986, 987, 1005, 1006, 1010, *1012, 1013, 1019, 1025, 1026, 1035, 1037, 1043, 1061, 1064, 1065, 1067, 1069, 1070, 1072, 1076, 1077, 1078, 1083, 1092, 1101, 1109, 1111, *1114, 1115, 1116, 1135, 1147, 1152, 1155, 1162, 1173, 1182, 1183, 1188, 1195, 1220, 1222, 1225, 1235, 1237.

COMMITTEE ASSIGNMENTS - Appropriations; Appropriations, Subcommittee on Justice and Public Safety; Education; Education, Subcommittee on Community Colleges; Local and Regional Government II; State Government; State Government, Subcommittee on Military, Veterans, and Indian Affairs; Transportation, Co-Chair; Ways and Means.

CONFeree: S.B. 297 1462.

CONFeree: S.B. 356 (Chair) 1434.

OATH 18.

OFFERS PRAYER 215.

SECONDS ADJOURNMENT 921.

SHERIFF (G.S. 162)

S 378 COUNTY SUPERVISE PRISONERS
(Ch. SL 97-0303) 499, 1045, 1349,
1351, 1364, 1385, 1398.

S 343 HOUSING AUTHORITY DUTIES
(Ch. SL 97-0455) 360, 1600, 1667, 1683,
1697, 1729, 1733, 1755, 1794.

H 870 LOCAL WORKING OF PRISONERS
(Senate) 470, 633, 697, 833.

H 198 SUPERVISION OF PRISONERS
(Senate) 109, 229, 259.

H 7 TERM LIMITS/LEGISLATURE/CONFORM
(Election Law & Campaign Reform) 43.

SHERIFF'S EDUCATION AND TRAINING STANDARDS**COMMISSION, N.C. (G.S. 17E)**

H 493 CURRENT OPERATIONS APPROPRIATIONS ACT
(Appropriations) (S 352) 242.

S 352 CURRENT OPERATIONS APPROPRIATIONS ACT
(Ch. SL 97-0443) (H 493) 688, 1073, 1080, 1095,
1101, 1124, 1141, 1723, 1725, 1729, 1748.

H 1078 SHERIFFS' COMMISSION AMENDMENTS
(Judiciary II) 609, 1294.

SHERRILL, WILMA M.**APPOINTMENT TO SELECT COMMITTEE**

FOR PERSONNEL REVIEW	196.
APPROVAL OF VOTE CHANGE ON H.B. 859	1389.
BILLS INTRODUCED - 19, 20, 51, 91, 92, 93, 94, 95, 127, 131, 139, 155, 176, 183, 248, 256, 260, *267, 271, 272, *275, *276, 311, *345, 351, 358, 389, 454, 482, *489, 499, 512, 519, 527, 537, *544, 554, 555, 564, 610, *616, *617, 639, 641, *652, 704, 707, 739, *769, 770, 794, 796, 813, 814, 824, 845, 902, 905, 909, 914, 929, 933, 938, 940, 943, 964, 980, 986, 1012, 1013, 1014, 1019, 1063, 1064, 1067, 1075, 1076, 1077, 1078, 1083, 1093, 1096, 1098, 1099, 1115, 1116, *1123, 1128, 1155, *1171, 1173, 1177, 1195, 1210, 1211, *1227, 1243.	
COMMITTEE ASSIGNMENTS - Appropriations; Appropriations, Subcommittee on General Government, Co-Chair; Commerce; Commerce, Subcommittee on Business and Labor; Education; Education, Subcommittee on Preschool, Elementary and Secondary Education; Judiciary I; Public Employees; Transportation.	
CONFEE: S.B. 264	1636.
CONFEE: S.B. 352	1141.
ESCORT FOR GOVERNOR	69.
ESCORT FOR REVEREND BILLY GRAHAM	853.
EXCUSED ABSENCES	125, 330, 439, 457, 1311, 1320, 1328, 1340.
OATH	18.
SECONDS ADJOURNMENT	956, 1467, 1685.

SHUBERT, FERN H.

APPROVAL OF VOTE CHANGE ON H.B. 42	1348.
BILLS INTRODUCED - 3, 6, 7, 12, 13, 15, 16, 18, 19, 20, 22, 23, 24, 31, 35, 36, 38, 43, 45, 46, 47, 56, 57, 58, 59, 74, 76, 78, 79, 80, 81, 85, 86, 87, 88, 89, 90, 91, 93, 94, 95, 106, 107, 108, 109, 110, 111, 126, 130, 131, 136, 137, 145, 147, *148, *149, 157, 168, 171, 172, 176, 180, 186, 248, 256, *271, *272, *290, 295, 301, 303, 310, 311, 351, 358, 389, 425, 426, 427, 454, 482, 511, 512, 536, 554, 665, 688, 707, 716, 746, *755, *756, 769, 770, 813, 824, 902, 909, 914, 928, 929, 938, 964, 981, 986, 1004, 1010, 1013, 1019, *1045, *1046, *1047, 1054, 1062, 1067, 1076, 1077, 1098, 1099, 1116, 1128, 1155, 1162, *1177, 1195, 1198, *1199, *1233.	
COMMITTEE ASSIGNMENTS - Appropriations; Appropriations, Subcommittee on Education; Education, Co-Chair; Election Law and Campaign Reform; Judiciary II; Technology; Ways and Means.	
CONFEE: S.B. 1	1770.

SHUBERT, FERN H.-Contd.

CONFeree: S.B. 297.....	1462.
EXCUSED ABSENCES.....	1068, 1078, 1468, 1479, 1486, 1494, 1505, 1517, 1529, 1539.
EXCUSED VOTE: H.B. 1128.....	806.
EXCUSED VOTE: S.B. 668	1264.
OATH	18.
OFFERS PRAYER.....	185.

SIGNATURES (G.S. 22A)

H 482	HANDICAPPED PERSONS SIGNATURE (Ch. SL 97-0208)	240, 367, 393, 1106, 1199.
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SMALL BUSINESSES

H 493	CURRENT OPERATIONS APPROPRIATIONS ACT (Appropriations) (S 352).....	242.
S 352	CURRENT OPERATIONS APPROPRIATIONS ACT (Ch. SL 97-0443) (H 493).....	688, 1073, 1080, 1095, 1101, 1124, 1141, 1723, 1725, 1729, 1748.
S 797	HEALTH AND LIFE INSURANCE AMENDMENTS (Rules, Calendar & Operations of the House).....	804.
H 547	RENEWABLE RESOURCE ENERGY (Commerce - Public Utilities)	324, 427, 572.
S 418	SMALL BUSINESS PROCUREMENT ACT (Commerce)	476.

SMITH, RONALD L.

APPROVAL OF VOTE CHANGE ON H.B. 183	1612.
BILLS INTRODUCED - 12, 13, 37, 53, 54, 55, 82, 86, 87, 95, 96, 108, 109, *118, *119, 126, 127, *133, 137, 145, 146, 150, 151, 152, 153, 154, 155, 156, 160, 164, 165, 252, 253, 254, 255, 256, 285, 287, 295, 300, 308, 312, 313, 329, 330, 331, 332, 345, 347, 351, 358, 364, 365, 366, 374, *402, 421, 424, 425, 426, 427, 432, 452, 454, *462, 478, 479, 480, 512, 513, 519, 523, 527, 537, 538, 550, 554, 561, 563, 574, 591, *593, *604, *625, *626, 638, 660, 664, *666, *698, *699, 701, 711, 739, 746, *749, 770, *787, *788, 796, 807, 813, *851, 858, 864, 866, 871, 878, 905, 906, 909, 911, 913, 919, 923, 938, 939, 940, 946, 951, 957, 960, *965, 973, 979, 983, 986, 1010, 1014, *1018, 1058, 1064, 1069, 1075, 1078, 1081, 1090, 1092, 1096, 1097, 1098, 1099, 1115, 1116, 1128, 1154, 1155, *1159, 1162, 1167, 1173, 1180, 1195, *1200, 1210, 1218.	
COMMITTEE ASSIGNMENTS - Agriculture; Appropriations; Appropriations, Subcommittee on Justice and Public Safety;	

SMITH, RONALD L.-Contd.

Commerce; Commerce, Subcommittee on Financial Institutions;
Education; Education, Subcommittee on Universities; Transportation.

CONFeree: H.B. 699	1478.
EXCUSED ABSENCES.....	1298, 1426.
OATH	18.

SOCIAL SERVICES (G.S. 108A)

H	115	1997 TECHNICAL CORRECTIONS (Ch. SL 97-0456)	88, 523, 567, 625, 1790, 1791, 1802, 1803, 1805, 1816.
H	301	CHILD SUPPORT/FEDERAL REQUIREMENTS (Ch. SL 97-0433)	143, 701, 949, 1165, 1183, 1585, 1612, 1629, 1638.
H	1062	CHILD SUPPORT/HEALTH COVERAGE (Senate)	605, 760, 820.
H	896	CHILD WELFARE CHANGES (Ch. SL 97-0390)	484, 593, 669, 720, 722, 745, 769, 1499, 1516, 1524, 1529, 1599.
H	493	CURRENT OPERATIONS APPROPRIATIONS ACT (Appropriations) (S 352)	242.
S	352	CURRENT OPERATIONS APPROPRIATIONS ACT (Ch. SL 97-0443) (H 493).....	688, 1073, 1080, 1095, 1101, 1124, 1141, 1723, 1725, 1729, 1748.
H	28	DEPARTMENT OF SOCIAL SERVICES BOARD CHANGE (Ch. SL 97-0135)	49, 158, 195, 997, 1014, 1025, 1108.
S	943	MEDICAID FALSE CLAIMS ACT (Ch. SL 97-0338)	823, 913, 1284, 1338, 1397, 1471.
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H	81	RESIDENCY REQUIREMENTS FOR SPECIAL ASSISTANCE (Ch. SL 97-0210)	67, 218, 249, 257, 636, 924, 940, 999, 1100, 1103, 1114, 1120, 1200.
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S	1015	WELFARE REFORM ACT OF 1997 (Appropriations).....	853, 1037.

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- S 305 SOLICITOR'S SECURITY OPTION
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- S 389 BASEBALL PARK DISTRICTS
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- H 493 CURRENT OPERATIONS APPROPRIATIONS ACT
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- S 352 CURRENT OPERATIONS APPROPRIATIONS ACT
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- H 176 EQUINE ACTIVITIES/SKATING RINK LIABILITY
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- S 1081 HONOR JACKIE ROBINSON/
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- S 414 HONOR COACH DEAN EDWARDS SMITH
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H	824	LICENSE ATHLETIC TRAINERS (Rules, Calendar & Operations of the House) (S 660).....	462.
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S	992	NORTH CAROLINA BOXING COMMISSION (Ch. SL 97-0504)	768, 1329, 1640, 1736, 1773, 1779, 1811.
H	795	ROLLER SKATING RINK LIABILITY (Judiciary I)	450, 700.
H	1012	SHOOTING RANGE PROTECTION (Ch. SL 97-0465)	596, 698, 777, 816, 1624, 1646, 1654.
S	815	SPEAKER/PRO TEM APPOINTMENTS (Ch. SL 97-0495)	1718, 1751, 1783, 1790, 1816.
S	837	SPORTS CLUB ALCOHOLIC BEVERAGE CONTROL PERMITS (Rules, Calendar & Operations of the House).....	800, 1375.
S	838	TOURISM RESORT ALCOHOLIC BEVERAGE CONTROL PERMITS (Rules, Calendar & Operations of the House).....	800, 1395.
H	992	UNIVERSITY OF NORTH CAROLINA NONAPPROPRIATED CAPITAL PROJECTS (Approp - Capital & Budget) (S 833).....	583, 872, 901.
S	833	UNIVERSITY OF NORTH CAROLINA RECEIPT-SUPPORTED CAPITAL PROJECTS (Ch. SL 97-0425) (H 992).....	800, 1253, 1352, 1416, 1490, 1567, 1689.

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H	832	COLLECT DELINQUENT PROPERTY TAX (Rules, Calendar & Operations of the House).....	463, 571, 655, 732, 834, 1321.
S	535	COUNTY/CONSENT BEFORE ACQUISITION (Ch. SL 97-0263)	765, 1062, 1082, 1122, 1195, 1207, 1214, 1312.
S	677	REPEAL ALBEMARLE FIREMEN'S PENSION (Ch. SL 97-0052)	677, 925, 942, 948, 958.
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H	789	TOWN OF OAKBORO (Ch. SL 97-0254)	449, 751, 795, 871, 891, 906, 1266, 1270.
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H	418	VARIOUS LOCAL TAX CHANGES (Ch. SL 97-0410)	221, 1400, 1410, 1417, 1434, 1451, 1585, 1609, 1628, 1638, 1655.

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H	1146	AGENCY INSPECTORS GENERAL (State Government).....	624.
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H	379	AMEND CHARTER SCHOOLS LAWS (Judiciary II) (S 297).....	181, 667.
S	297	AMEND CHARTER SCHOOLS LAWS (Ch. SL 97-0430) (H 379).....	821, 1135, 1235, 1293, 1294, 1308, 1457, 1462, 1500, 1541, 1554, 1566, 1573, 1690.
H	211	AMEND ENVIRONMENTAL LAWS (Ch. SL 97-0496) (S 194)	112, 556, 628, 1509, 1719, 1760, 1796.
S	194	AMEND ENVIRONMENTAL LAWS (Returned to Senate for Concurrence) (H 211)	796, 1471, 1485.
S	947	AMEND INTERBASIN TRANSFERS (Ch. SL 97-0524) (Included Ch. SL 97-0483).....	797, 1300, 1498, 1713, 1748.
H	1111	AMEND LAW ENFORCEMENT OFFICER RETIREMENT DEFINITION (Rules, Calendar & Operations of the House).....	616, 735, 805.
S	673	AMEND LAW ENFORCEMENT OFFICER RETIREMENT DEFINITION (Ch. SL 97-0144)	799, 979, 1021, 1025, 1109.
H	584	ATTEMPTING TO ELUDE ARREST (Senate)	348, 365, 661, 687, 717, 722.
H	215	BACKUP POWER FOR WASTEWATER SYSTEMS (Environment)	113.
H	1121	BROWNFIELDS PROPERTY REUSE ACT (Ch. SL 97-0357)	618, 933, 1136, 1174, 1182, 1459, 1507.
H	224	BROWNFIELDS/PROPERTY USE RESTRICTIONS (Rules, Calendar & Operations of the House) (S 125).....	115, 662, 775.
S	125	BROWNFIELDS/PROPERTY USE RESTRICTIONS (Ch. SL 97-0394) (H 224).....	706, 1252, 1485, 1518, 1603.

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H	45	BUILDING CODE COUNCIL MEMBERSHIP (Commerce) (S 824)..... 53, 648.
S	824	BUILDING CODE COUNCIL/MEMBERSHIP (Commerce) (H 45)..... 804.
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H	1003	CAPITAL PLANNING AND BUDGETING ACT (Appropriations)..... 585.
H	151	CHILD FATALITY TASK FORCE CONFIDENTIAL RECORDS (Judiciary II) 97, 262.
H	515	CLEAN WATER/ENVIRONMENTALLY SOUND POLICY ACT (Ch. SL 97-0458) ... 275, 664, 746, 1210, 1471, 1482, 1503, 1520, 1700, 1703, 1705, 1718.
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S	347	CONTINUING BUDGET AUTHORITY (Ch. SL 97-0401) (H 492).... 1593, 1594, 1601, 1604.
H	672	COUNTY CONSTRUCTION OF METAL BUILDINGS (Senate) 398, 700, 818.
H	493	CURRENT OPERATIONS APPROPRIATIONS ACT (Appropriations) (S 352)..... 242.
S	352	CURRENT OPERATIONS APPROPRIATIONS ACT (Ch. SL 97-0443) (H 493)..... 688, 1073, 1080, 1095, 1101, 1124, 1141, 1723, 1725, 1729, 1748.
H	1061	DISABLED SPORTSMAN LICENSES (Ch. SL 97-0326) 605, 762, 1060, 1084, 1117, 1334, 1348, 1354.
H	206	DIVISION OF MOTOR VEHICLES HEAD IS A DEPARTMENT OF TRANSPORTATION DEPUTY (Failed 2nd Reading)..... 111, 295, 315.
H	560	DIVORCE EDUCATION (Approp - Justice & Public Safety) 336, 408, 421, 524, 634.
H	225	DRY-CLEANING SOLVENT CLEANUP ACT (Ch. SL 97-0392) 115, 995, 1315, 1324, 1336, 1510, 1524, 1529, 1603.

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H	464	ENHANCE CHILD CARE (Human Resources).....	237, 689.
S	929	ENHANCE CHILD CARE (Ch. SL 97-0506)	797, 1600, 1662, 1695, 1714, 1734, 1796.
H	247	ENVIRONMENTAL AUDITS (Environment)	120.
H	307	ENVIRONMENTAL LAWS ACT (Calendar Pursuant Rule 36(a)).....	144, 664.
H	188	ENVIRONMENTAL TECHNICAL CORRECTIONS (Senate) (S 169)	107, 556, 626.
S	169	ENVIRONMENTAL TECHNICAL CORRECTIONS (Rules, Calendar & Operations of the House) (H 188)	707.
H	85	ENVIRONMENTALLY SOUND POLICY ACT (Rules, Calendar & Operations of the House).....	68, 345, 1725.
H	1223	FAMILY HEALTH CARE PROGRAM (Insurance - Health)	850, 1246.
H	357	GENERAL ANIMAL WASTE PERMITS (Finance)	171, 693, 730, 775, 780, 842, 843.
H	478	HEALTH TO DEPARTMENT OF HUMAN RESOURCES/DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES NAME CHANGE (Human Resources) (S 383).....	239.
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S	417	HIGHWAY CONTRACT BONDING REQUIREMENTS (Judiciary I)	786, 1047, 1181.
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H	227	INACTIVE HAZARDOUS SITES RECORDATION (Ch. SL 97-0528) (S 114)	116, 495, 552, 1190, 1203, 1211, 1221, 1223, 1310, 1651, 1658, 1730, 1749.
H	517	INDIAN CULTURAL CENTER FUND-RAISING (Ch. SL 97-0041)	296, 372, 394, 590, 812.

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- H 701 IRRIGATION SYSTEMS DESIGN NOT
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- H 426 LAW ENFORCEMENT PROPERTY
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- S 891 LOCAL GOVERNMENT CONTRACTING
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- H 16 NO LIQUID ANIMAL WASTE/FLOODPLAINS
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- S 992 NORTH CAROLINA BOXING COMMISSION
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- H 920 NORTH CAROLINA POSTAL HISTORY
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- H 1009 NOTICE OF HAZARDOUS DISCHARGE
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- S 918 NOTICE OF HAZARDOUS DISCHARGE
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- H 1001 PAYROLL DUES CHECK-OFF LIMIT
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- S 1030 PUBLIC CONTRACT DISPUTES
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H	308	REPEAL SUNSET ON FICA SAVING USE (Approp - Education) (Included Ch. SL 97-0443)	144, 201, 872.
H	1031	RETIREMENT INCENTIVE (Appropriations)	600, 763.
S	853	REVENUE OFFICERS' POLICE POWERS (Ch. SL 97-0503)	1347, 1722, 1724, 1745, 1779, 1782, 1810.
S	366	REVISE SCHOOL/COUNTY MEDIATION (Ch. SL 97-0222)	586, 994, 1145, 1176, 1227.
H	1198	SAVINGS RESERVE/SCHOOL TECHNOLOGY FUND (Appropriations)	792, 875, 912.
S	418	SMALL BUSINESS PROCUREMENT ACT (Commerce)	476.
S	815	SPEAKER/PRO TEM APPOINTMENTS (Ch. SL 97-0495)	1718, 1751, 1783, 1790, 1816.
S	900	STATE BUILDING COMMISSION PROJECTS (State Government)	823.
H	122	STATE BUILDING EVACUATION (Ch. SL 97-0112) (S 78)	89, 308, 328, 938, 953, 957, 1070.
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H	1006	STATE CAPITAL IMPROVEMENT PROJECTS (Ch. SL 97-0314)	595, 695, 776, 1341, 1415.
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H	1203	STATE-LOCAL WATER QUALITY PLANS (Environment)	845.

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- H 129 TRANSFER DEPARTMENT OF MOTOR VEHICLES
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- S 488 VOCATIONAL REHABILITATION
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S	352	CURRENT OPERATIONS APPROPRIATIONS ACT (Ch. SL 97-0443) (H 493).....	688, 1073, 1080, 1095, 1101, 1124, 1141, 1723, 1725, 1729, 1748.
H	206	DIVISION OF MOTOR VEHICLES HEAD IS A DEPARTMENT OF TRANSPORTATION DEPUTY (Failed 2nd Reading).....	111, 295, 315.
S	5	EDUCATION GOVERNANCE CHANGES (Failed 2nd Reading)....	798, 1161, 1224, 1239, 1240.
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H	438	STOKES LOCAL ACT (Rules, Calendar & Operations of the House).....	232.
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S	69	STOKES SCHOOL ACQUISITION (Ch. SL 97-0190)	325, 1044, 1062, 1092, 1143, 1154, 1188, 1197.
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S	194	AMEND ENVIRONMENTAL LAWS (Returned to Senate for Concurrence) (H 211)	796, 1471, 1485.
S	947	AMEND INTERBASIN TRANSFERS (Ch. SL 97-0524) (Included Ch. SL 97-0483)	797, 1300, 1498, 1713, 1748.
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H	1139	CLEAN WATER REVOLVING LOAN FUNDS (Rules, Calendar & Operations of the House).....	622, 903, 1656.
H	515	CLEAN WATER/ENVIRONMENTALLY SOUND POLICY ACT (Ch. SL 97-0458) ...	275, 664, 746, 1210, 1471, 1482, 1503, 1520, 1700, 1703, 1705, 1718.
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S	352	CURRENT OPERATIONS APPROPRIATIONS ACT (Ch. SL 97-0443) (H 493)..... 688, 1073, 1080, 1095, 1101, 1124, 1141, 1723, 1725, 1729, 1748.
H	1127	CUSTOMER CHOICE IN ELECTRICITY (Rules, Calendar & Operations of the House)..... 620.
H	1002	DEPARTMENT OF HUMAN RESOURCES SCHOOLS/LRC STUDY (Rules, Calendar & Operations of the House) (Included Ch. SL 97-0483) 585.
H	909	DOMESTIC VIOLENCE STUDY (Rules, Calendar & Operations of the House) (Included Ch. SL 97-0483) 515.
H	50	DOWNTOWN REVITALIZATION/LRC STUDY (Rules, Calendar & Operations of the House) (Included Ch. SL 97-0483) 54.
H	290	ELECTRONIC COMMERCE COMMISSION (Rules, Calendar & Operations of the House) (Included Ch. SL 97-0483) 138.
H	117	ENERGY RECOMMENDATIONS/LRC STUDY (Rules, Calendar & Operations of the House)..... 88, 554, 1088.
H	1221	ENGLISH AS A SECOND LANGUAGE/STUDY (Rules, Calendar & Operations of the House)..... 849, 1005.
S	929	ENHANCE CHILD CARE (Ch. SL 97-0506) 797, 1600, 1662, 1695, 1714, 1734, 1796.
H	1195	ENVIRONMENTAL IMPACTS STUDY/FUNDS (Rules, Calendar & Operations of the House)..... 791.
H	140	EXTEND CRIME CONTROL STUDY (Appropriations)..... 95, 216.
H	56	EXTEND DEPARTMENT OF HUMAN RESOURCES REORGANIZATION STUDY (Rules, Calendar & Operations of the House)..... 55.
H	131	EXTEND HEART DISEASE PREVENTION TASK FORCE (Appropriations)..... 93, 216.
H	238	FACILITATE ANIMAL WASTE MANAGEMENT RESEARCH (Rules, Calendar & Operations of the House)..... 118, 262, 271, 624.
H	1097	FISHERIES REFORM ACT (Ch. SL 97-0400) ... 613, 662, 948, 1044, 1083, 1117, 1126, 1565, 1576, 1588, 1591, 1604.

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S	1	FULL DISCLOSURE ACT OF 1997 (Ch. SL 97-0515) 90, 523, 914, 973, 1502, 1571, 1742, 1743, 1769, 1805, 1812, 1815.
H	1192	FUTURE OF COURTS/LRC STUDY (Rules, Calendar & Operations of the House) (Included Ch. SL 97-0483) 790.
H	12	FUTURE OF ELECTRIC SERVICE STUDY (Commerce) (S 38)..... 45.
S	38	FUTURE OF ELECTRIC SERVICE STUDY (Ch. SL 97-0040) (H 12)..... 129, 332, 354, 363, 438, 564, 569, 586, 630, 811.
H	107	GUARDIAN AD LITEM/LRC STUDY (Rules, Calendar & Operations of the House) (Included Ch. SL 97-0483) 86.
H	1204	HEALTH CARE COSTS STUDY (Rules, Calendar & Operations of the House) (Included Ch. SL 97-0483) 846.
S	886	HIRE AMONG MOST QUALIFIED (Ch. SL 97-0520) (H 1096)..... 1561, 1722, 1743, 1796.
H	46	HOUSING TRUST FUND/DOWNTOWNS (Commerce - Business & Labor) (S 821)..... 53.
S	821	HOUSING TRUST FUND/DOWNTOWNS (Commerce) (H 46)..... 831.
H	321	HUNTING ON SUNDAY/LRC STUDY (Rules, Calendar & Operations of the House)..... 152, 753, 775.
H	52	INDEPENDENT REDISTRICTING COMMISSION (Congressional Redistricting)..... 54, 216.
S	845	INSPECTION AND MAINTENANCE PROGRAM/STUDY (Rules, Calendar & Operations of the House) (Included Ch. SL 97-0483) 767.
H	18	JOB TRAINING STUDY (Approp - Capital & Budget) (S 32) 46, 86, 382.
H	1197	LIVING WILL/ORGAN DONORS REGISTRY (Rules, Calendar & Operations of the House)..... 792.
S	3	LOBBYIST WAITING PERIOD (Rules, Calendar & Operations of the House) (Included Ch. SL 97-0483) 164, 272, 330.
S	940	LOCAL GOVERNMENT FUNDING AGREEMENTS (Rules, Calendar & Operations of the House)..... 797.

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S	426	MAGISTRATES TRUCK SPECIAL PLATES (Ch. SL 97-0461)	1013, 1314, 1357, 1408, 1551, 1591, 1613, 1653.
H	199	MEDICAL PROVIDERS' LIENS/LRC STUDY (Rules, Calendar & Operations of the House) (Included Ch. SL 97-0483)	110, 592, 642.
H	550	MINORITY AND AT-RISK STUDENT/STUDY (Rules, Calendar & Operations of the House).....	324.
H	1210	MINORITY WOMEN'S HEALTH/STUDY (Rules, Calendar & Operations of the House).....	847.
S	39	MODIFY SETOFF DEBT COLLECTION (Ch. SL 97-0490)	1605, 1619, 1735, 1765, 1794.
H	1125	MORTGAGE LENDERS/LRC STUDY (Rules, Calendar & Operations of the House) (Included Ch. SL 97-0483)	619, 654, 1090, 1330.
H	163	MUNICIPALITIES INCORPORATION/LRC STUDY (Rules, Calendar & Operations of the House) (Included Ch. SL 97-0483)	99.
S	19	NO SOCIAL PROMOTIONS PERMITTED (Rules, Calendar & Operations of the House).....	765, 1357, 1538.
H	356	NONBANKING CONSUMER INDUSTRIES/LRC STUDY (Rules, Calendar & Operations of the House) (Included Ch. SL 97-0483)	171.
H	913	OSTEOPOROSIS TASK FORCE (Appropriations) (S 476)	515.
S	476	OSTEOPOROSIS TASK FORCE (Human Resources) (H 913)	1140.
H	58	PERMANENT REVENUE LAWS STUDY (Rules, Calendar & Operations of the House).....	55.
H	179	PROBATION/PAROLE PERFORMANCE AUDIT (Approp - Capital & Budget)	105, 383.
H	1138	PROPERTY TAX INTEREST/LRC STUDY (Finance) (S 1064)	622.
S	1064	PROPERTY TAX INTEREST/STUDY (Ch. SL 97-0205) (H 1138).....	952, 1060, 1087, 1106, 1199.
H	985	PUBLIC HEALTH STUDY/CHILD HEALTH (Rules, Calendar & Operations of the House).....	582.
H	1165	PUBLIC OFFICIALS CONFLICTS/LRC STUDY (Rules, Calendar & Operations of the House) (Included Ch. SL 97-0483)	705.

STUDIES-Contd.

H	898	PUBLIC RECORDS/LAW AMENDMENTS (Senate) (Included Ch. SL 97-0483)	484, 664, 688.
H	707	PUPIL ASSIGNMENT OPTIONS/LRC STUDY (Rules, Calendar & Operations of the House) (Included Ch. SL 97-0483)	404, 735, 775.
H	257	RAILROADS PORTS USE INCENTIVE/LRC STUDY (Rules, Calendar & Operations of the House) (Included Ch. SL 97-0483)	123, 1358.
H	993	REGIONAL TRANSPORTATION AUTHORITIES (Ch. SL 97-0393)	583, 1090, 1149, 1165, 1172, 1505, 1603.
H	1100	REGISTER OF DEEDS' MATTERS (Finance)	614, 699.
H	240	REMOVE ODOR CONTROL STUDY MATCH (Senate)	119, 150, 175.
H	9	REPEAL SAFETY INSPECTIONS/LRC STUDY (Rules, Calendar & Operations of the House) (Included Ch. SL 97-0483)	43, 1104.
H	1036	RESTRICT INDIGENT COUNSEL/LRC STUDY (Rules, Calendar & Operations of the House).....	601, 762.
H	1207	REVIEW OF HEALTH BILLS/LRC STUDY (Rules, Calendar & Operations of the House) (Included Ch. SL 97-0483)	846.
S	875	REVISE RECORDS LAWS (Ch. SL 97-0309)	1072, 1162, 1225, 1263, 1274, 1278, 1320, 1414.
H	1201	SANITARIAN REQUIREMENTS/LRC STUDY (Rules, Calendar & Operations of the House).....	845.
H	1021	SEPTIC TANK STANDARDS/PROCESS/STUDY (Rules, Calendar & Operations of the House) (Included Ch. SL 97-0483)	598.
H	253	SHELLFISHING STUDY (Rules, Calendar & Operations of the House).....	122.
H	1177	SMALL BUSINESS DEVELOPMENT STUDY (Rules, Calendar & Operations of the House) (Included Ch. SL 97-0483)	739.
H	572	STORM HAZARD MITIGATION STUDY (Rules, Calendar & Operations of the House) (Included Ch. SL 97-0483)	338.
H	1072	STUDENT DISCIPLINE/LRC STUDY (Rules, Calendar & Operations of the House) (Included Ch. SL 97-0483)	608, 749, 775.

STUDIES-Contd.

S	32	STUDIES ACT (Ch. SL 97-0483) (H 18).....	1781, 1783, 1784, 1790, 1800, 1801, 1813, 1815.
H	1220	TEACHER SUPPLEMENTAL PAY STUDY (Rules, Calendar & Operations of the House).....	849.
H	1182	TEACHERS' NONTEACHING DUTIES/STUDY (Rules, Calendar & Operations of the House) (Included Ch. SL 97-0483)	740.
H	1242	TRUCK SAFETY STUDY (Rules, Calendar & Operations of the House) (Included Ch. SL 97-0483)	1399, 1419.
H	1096	TRUCKING ADJUSTMENT ACT OF 1997 (Ch. SL 97-0466) (S 886)	613, 1400, 1508, 1536, 1537, 1545, 1556, 1623, 1646, 1654.
H	40	WATER ISSUES/LRC STUDY CONTINUED (Rules, Calendar & Operations of the House).....	51.
H	513	WATERCRAFT SAFETY/LRC STUDY (Rules, Calendar & Operations of the House) (Included Ch. SL 97-0483)	274, 726, 742.
S	1015	WELFARE REFORM ACT OF 1997 (Appropriations).....	853, 1037.

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S	1028	SUBCONTRACTOR CLAIMS AGAINST OWNERS (Rules, Calendar & Operations of the House).....	797.
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SUBSTANCE ABUSE

H	858	ADDICTION RESEARCH AUTHORITY (Appropriations).....	468.
H	77	AREA MENTAL HEALTH AUTHORITY (Ch. SL 97-0007)	66, 135, 155, 309, 395.
H	493	CURRENT OPERATIONS APPROPRIATIONS ACT (Appropriations) (S 352)	242.
S	352	CURRENT OPERATIONS APPROPRIATIONS ACT (Ch. SL 97-0443) (H 493).....	688, 1073, 1080, 1095, 1101, 1124, 1141, 1723, 1725, 1729, 1748.
H	562	DIRECT PAYMENT/SUBSTANCE ABUSE PROFESSIONALS (Insurance) (S 1016)	336.
S	1016	DIRECT PAYMENTS/SUBSTANCE ABUSE PROFESSIONALS (Insurance - Health) (H 562)	825, 961.

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- H 183 DRIVING WHILE IMPAIRED/FELONY
PRIOR RECORD LEVEL
(Ch. SL 97-0486) 106, 304, 410, 482, 632, 659,
1553, 1582, 1612, 1620, 1664, 1675, 1706, 1719.
- H 434 FEDERAL HEALTH INSURANCE CHANGES
(Ch. SL 97-0259) 231, 672, 725, 745,
1210, 1246, 1257, 1267, 1299.
- H 1189 FOOD TAX REDUCTION/
ALCOHOL TAX INCREASE
(Commerce) 790.
- H 448 GOVERNOR'S DRIVING WHILE
IMPAIRED INITIATIVE
(Ch. SL 97-0379) 233, 643, 718, 1139, 1153,
1488, 1500, 1502, 1505, 1551.
- H 563 MENTAL HEALTH PARITY
(Insurance) (S 400) 336.
- S 400 MENTAL HEALTH PARITY
(Insurance - Health) (H 563) 822, 961.
- H 948 PHARMACY REHABILITATION PROGRAM
(Ch. SL 97-0177) 544, 736, 839, 1068, 1160.
- H 456 REGISTER OF DEEDS - NO ABUSE INFORMATION
(Ch. SL 97-0136) (S 479) 235, 671,
725, 1007, 1108.
- S 479 REGISTER OF DEEDS - NO ABUSE INFORMATION
(Human Resources) (H 456) 636.
- H 435 STATE HEALTH PLAN
TECHNICAL AMENDMENTS
(Ch. SL 97-0512) 232, 365, 1225, 1605,
1665, 1718, 1751, 1775, 1797.
- S 712 SUBSTANCE ABUSE SPECIALISTS
(Ch. SL 97-0492) 1113, 1664, 1736, 1765, 1795.
- S 962 VOLUNTEER ADMISSION/FAMILY UNIT
(Calendar Pursuant to Rule 36(a)) 824, 1600.
- S 1015 WELFARE REFORM ACT OF 1997
(Appropriations) 853, 1037.

SURRY COUNTY

- H 548 ELKIN PRIVATE SALE
(Ch. SL 97-0130) (S 437) 324, 443, 478, 1069, 1079.
- S 437 ELKIN PRIVATE SALE
(Ch. SL 97-0131) (H 548) 765, 1045, 1064,
1074, 1078, 1089.

SURRY COUNTY-Contd.

S	578	MOUNT AIRY/AVERY OCCUPANCY TAX (Rules, Calendar & Operations of the House).....	677, 1345, 1360, 1395.
H	437	PILOT MOUNTAIN RECREATION/ LOCAL TREE REGULATION (Ch. SL 97-0420)	232, 772, 835, 1321, 1582, 1610, 1621, 1651, 1659, 1671, 1673, 1688.
S	826	SCHOOL BOARD AND LOCAL CHANGES (Returned to Senate for Concurrence) (H 483)	801, 1461, 1559, 1570, 1590, 1631, 1641, 1693, 1711.
H	440	SURRY LOCAL ACT (Rules, Calendar & Operations of the House).....	232.
H	673	SURRY SCHOOL ELECTIONS (Senate)	398, 512, 536.
H	418	VARIOUS LOCAL TAX CHANGES (Ch. SL 97-0410)	221, 1400, 1410, 1417, 1434, 1451, 1585, 1609, 1628, 1638, 1655.

SURVIVING SPOUSES (G.S. 30)

S	132	CLERKS/YEAR'S ALLOWANCE (Ch. SL 97-0310)	675, 869, 1217, 1276, 1290, 1328, 1414.
H	908	MODIFY RIGHTS OF DECEDENT'S SPOUSE (Senate) (Included Ch. SL 97-0483)	514, 691, 776.

SUTTON, RONNIE N.

BILLS INTRODUCED -	2, 12, 32, 33, 73, 76, 78, 83, 86, 89, 108, 109, 110, 111, 115, 131, 147, 166, 167, 171, 223, 248, 285, 291, 292, 299, 312, *314, 339, 347, 351, *362, 374, 375, 432, 454, *465, *474, 482, *517, 519, 527, 554, 555, 556, 557, 575, *584, 591, 598, 615, 640, 665, 688, 711, 746, 767, 770, 842, 906, 907, 914, 939, 943, 972, 988, 1010, 1014, 1016, 1064, 1069, *1082, 1084, 1088, 1096, 1115, 1116, 1155, 1162, *1168, *1169, 1172, 1177, 1180, 1186, 1195, 1210, 1218, 1220, 1221, 1222, 1223, 1224, 1230, *1232.
COMMITTEE ASSIGNMENTS -	Appropriations; Appropriations, Subcommittee on Transportation; Congressional Redistricting; Ethics; Judiciary II; State Government; State Government, Subcommittee on Military, Veterans, and Indian Affairs.
CONFEEE: H.B. 1156	1716.
EXCUSED ABSENCES	52, 422, 522, 540, 158, 1176, 1196, 1227, 1353, 1366, 1459, 1529.

SUTTON, RONNIE N.-Contd.

OATH.....	18.
SECONDS ADJOURNMENT	147, 756, 1098, 1637.

SWAIN COUNTY

H 528 DIVIDE DISTRICT COURT/PROSECUTORIAL DISTRICT 30 (Judiciary II).....	310.
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-T-**TALLENT, TIMOTHY N.**

APPROVAL OF VOTE CHANGE ON S.B. 69.....	1154.
BILLS INTRODUCED - 248, 310, 338, *356, 361, *400, *461, *469, *470, *471, 499, 527, 536, 554, 564, *662, 688, 739, 746, *751, 769, 770, *786, 813, 814, 824, 869, 926, 928, 951, 964, 973, 986, 1007, 1014, 1070, 1074, 1096, 1108, 1109, 1110, 1111, 1128, 1155, 1162, 1173, 1177, 1189, 1195.	
COMMITTEE ASSIGNMENTS - Commerce, Co-Chair; Election Law and Campaign Reform; Ethics; Finance; Insurance; Local and Regional Government I.	
CONFEREE: S.B. 38 (Co-Chair)	438.
ESCORT FOR NORTH CAROLINA TEACHER OF THE YEAR	1317.
EXCUSED ABSENCES.....	200, 1413, 1494, 1539.
OATH.....	18.
SECONDS ADJOURNMENT	1528, 1538.

TAXATION (G.S. 105)

H 83 1997 EDUCATION LOTTERY (Rules, Calendar & Operations of the House).....	68.
H 918 1997 LOTTERY FOR EDUCATION (Rules, Calendar & Operations of the House).....	516.
H 115 1997 TECHNICAL CORRECTIONS (Ch. SL 97-0456)	88, 523, 567, 625, 1790, 1791, 1802, 1803, 1805, 1816.
S 34 ADJUST CITY RECEIPTS TAX SHARE (Ch. SL 97-0118)	798, 936, 966, 968, 1071.
H 219 ADMINISTRATIVE DISSOLUTION/ANNUAL REPORT (Ways & Means).....	114.
H 368 AMEND BILL LEE ACT (Finance) (Included Ch. SL 97-0443) (S 316).....	179, 318.

TAXATION-Contd.

S	316	AMEND BILL LEE ACT (Ch. SL 97-0277) (Included Ch. SL 97-0443) (H 368)..... 485, 645, 876, 892, 907, 910, 917, 928, 998, 1004, 1217, 1237, 1255, 1268, 1270, 1355.
S	124	AMEND WHITE GOODS TAX (Finance) 939.
H	148	AUTOMATIC ANNUAL TAX REDUCTION (Finance) 96.
H	284	BANKS/ALTERNATIVE MINIMUM TAX (Finance) 137.
H	919	BOAT FUEL TAX FOR BOATS (Appropriations)..... 517, 1235.
H	168	CHANGE WELFARE TO CHARITY (Welfare Reform)..... 100.
H	1062	CHILD SUPPORT/HEALTH COVERAGE (Senate) 605, 760, 820.
S	374	CHIROPRACTOR SUPPLEMENTS EXEMPT (Ch. SL 97-0369) 1072, 1284, 1377, 1464, 1468, 1549.
S	232	CLEAN WATER BONDS (Returned to Senate for Concurrence)..... 1211, 1582, 1584, 1721, 1739, 1766.
H	325	CONFORM BANK TAX TO FEDERAL (Commerce - Financial Institutions) 160, 426.
H	35	CONFORM SALES AND FUEL TAX REFUND PERIOD (Ch. SL 97-0423) (Included Ch. SL 97-0443) 50, 135, 166, 1552, 1562, 1575, 1581, 1689.
S	784	CONFORM TAX EXTENSION RULES (Ch. SL 97-0300) 1043, 1202, 1277, 1311, 1398.
H	15	CONFORM TAX ON RESTORED INCOME (Ch. SL 97-0213) (Included Ch. SL 97-0443) 45, 134, 154, 485, 499, 518, 1123, 1125, 1142, 1149, 1200.
H	260	CONSERVATION EASEMENTS/TAX CREDIT (Ch. SL 97-0226) (Included Ch. SL 97-0443) 123, 370, 481, 551, 564, 1138, 1152, 1158, 1249.
H	1173	CONSTRUCTION WORKER TRAINING CREDIT (Commerce - Business & Labor) (S 938)..... 738, 951.
S	938	CONSTRUCTION WORKER TRAINING CREDIT (Welfare Reform) (H 1173) 1221.

TAXATION-Contd.

H	324	CORPORATE INCOME TAX REPORTS (Finance)	160.
H	200	CORPORATE AMENDMENTS (Judiciary II) (S 157)	110.
S	157	CORPORATE AMENDMENTS (Ch. SL 97-0485) (H 200)	528, 934, 1044, 1148, 1300, 1534, 1542, 1596, 1606, 1657, 1676, 1681, 1690, 1702.
H	1044	COUNTY TAX INFORMATION RECIPIENT (Ch. SL 97-0340)	602, 655, 733, 818, 1368, 1387, 1397, 1471.
H	1187	COUNTY/CITY SALES TAX EXEMPTION (Senate)	789, 1315, 1364, 1372, 1392, 1408.
H	74	CREDIT FOR LONG-TERM CARE INSURANCE (Appropriations) (Included Ch. SL 97-0483)	66, 663, 1110.
S	339	CREDIT FOR TIER ONE COUNTIES (Commerce)	939.
H	980	CROP ALLOTMENT TAX APPRAISAL (Finance) (H 1015)	581, 1137.
H	1015	CROP ALLOTMENT TAX APPRAISAL (Agriculture) (H 980)	597.
H	493	CURRENT OPERATIONS APPROPRIATIONS ACT (Appropriations) (S 352)	242.
S	352	CURRENT OPERATIONS APPROPRIATIONS ACT (Ch. SL 97-0443) (H 493)	688, 1073, 1080, 1095, 1101, 1124, 1141, 1723, 1725, 1729, 1748.
H	942	DEDUCT ELEMENTARY/SECONDARY TUITION (Education)	543.
H	952	DEDUCT POSTSECONDARY TUITION (Education)	545.
H	206	DIVISION OF MOTOR VEHICLES HEAD IS A DEPARTMENT OF TRANSPORTATION DEPUTY (Failed 2nd Reading)	111, 295, 315.
H	939	DRUG TAX FOR CRIMESTOPPERS (Approp - Justice & Public Safety)	527, 697, 746, 915, 932, 938.
H	225	DRY-CLEANING SOLVENT CLEANUP ACT (Ch. SL 97-0392)	115, 995, 1315, 1324, 1336, 1510, 1524, 1529, 1603.
H	123	ELIMINATE FOOD TAX (Finance)	90.

TAXATION-Contd.

H	464	ENHANCE CHILD CARE (Human Resources).....	237, 689.
S	929	ENHANCE CHILD CARE (Ch. SL 97-0506)	797, 1600, 1662, 1695, 1714, 1734, 1796.
H	1057	EXEMPT AUDIOVISUAL MASTERS (Ch. SL 97-0521)	604, 976, 994, 1056, 1707, 1724, 1749.
H	282	EXEMPT CONTRACTORS' INVENTORY (Commerce)	132.
H	1113	EXEMPT FIRE AND RESCUE VEHICLES (Finance)	617.
H	1170	EXEMPT SEVERANCE PAY (Commerce)	737.
S	1065	EXEMPT SEVERANCE PAY (Ch. SL 97-0525) (Included Ch. SL 97-0443)	1657, 1674, 1712, 1734, 1748.
S	1001	EXPAND AMUSEMENT TAX EXEMPTION (Finance)	1728.
H	19	EXPAND CORPORATE CHARITABLE DEDUCTION (Senate)	46, 148, 166, 174.
H	37	EXPAND HOMESTEAD EXEMPTION (Finance)	51.
H	1189	FOOD TAX REDUCTION/ ALCOHOL TAX INCREASE (Commerce)	790.
S	1	FULL DISCLOSURE ACT OF 1997 (Ch. SL 97-0515)	90, 523, 914, 973, 1502, 1571, 1742, 1743, 1769, 1805, 1812, 1815.
S	886	HIRE AMONG MOST QUALIFIED (Ch. SL 97-0520) (H 1096).....	1561, 1722, 1743, 1796.
S	323	HISTORIC REHABILITATION TAX CREDITS (Ch. SL 97-0139) (Included Ch. SL 97-0443) ..	799, 936, 975, 1006, 1108.
H	754	ILLICIT LIQUOR TAX (Ch. SL 97-0292) (Included Ch. SL 97-0443)	429, 631, 658, 684, 1283, 1356.
H	611	INCREASE COMPENSATION FOR ERRONEOUS CONVICTION (Ch. SL 97-0388).....	359, 644, 685, 1510, 1524, 1529, 1599.

TAXATION-Contd.

H	20	INCREASE NONITEMIZER CHARITY CREDIT (Senate)	46, 148, 166, 174, 194.
S	727	INSURANCE REGULATORY CHARGE (Ch. SL 97-0475) (Included Ch. SL 97-0443)	625, 1012, 1038, 1052, 1054, 1064, 1598, 1606, 1616, 1625, 1642, 1707, 1714.
H	96	INTANGIBLES TAX REMEDY (Ch. SL 97-0318) (Included Ch. SL 97-0443)	72, 149, 1295, 1326, 1409, 1413, 1446.
S	915	INTANGIBLES TAX REMEDY (Finance)	1289.
H	136	LATE VIDEO RETURN/SALES TAX (Senate)	94, 158, 251, 269, 270, 301.
H	1070	LOCAL OPTION HOMESTEAD RELIEF (Ways & Means) (S 421)	607.
S	421	LOCAL OPTION HOMESTEAD RELIEF (Ways & Means) (H 1070)	708.
S	594	LOCAL SALES TAX FOR SCHOOLS (Rules, Calendar & Operations of the House)....	1750.
H	1231	LOCAL TRANSIT REVENUE OPTIONS (Ch. SL 97-0417)	962, 1201, 1324, 1377, 1455, 1465, 1546, 1554, 1573, 1579, 1585, 1595, 1602, 1688.
H	22	LOWER FOOD TAX ANOTHER ONE CENT (Finance)	47.
H	2	LOWER FOOD TAX TWO CENTS MORE (Finance)	42.
H	36	MAKE USE TAX USER-FRIENDLY (Ch. SL 97-0077)	50, 168, 184, 947, 1009.
H	1068	MERCHANTS' SALES TAX DISCOUNT (Commerce)	607.
S	841	MODIFY CORPORATE DIVIDEND TAXATION (Returned to Senate for Concurrence).....	1633, 1640, 1699, 1713, 1722, 1740, 1767.
H	1013	MODIFY FOOD TAX/MERCHANT'S DISCOUNT (Finance)	596.
S	39	MODIFY SETOFF DEBT COLLECTION (Ch. SL 97-0490)	1605, 1619, 1735, 1765, 1794.
H	970	MORATORIUM ON INTERNET TAX (Finance) (Included Ch. SL 97-0483)	561, 948.

TAXATION-Contd.

H	1226	MOTOR CARRIER DIESEL TAX PAYMENT (Transportation)	876.
H	495	NATURAL GAS (Ch. SL 97-0426)	252, 426, 641, 920, 979, 1021, 1050, 1521, 1532, 1542, 1548, 1689.
S	388	NO BACK INTANGIBLES TAX ASSESSMENT (Ch. SL 97-0017)	350, 440, 492, 497, 508.
H	170	NO SALES TAX ON FUNERALS (Appropriations)	101, 1201.
H	1126	NO SALES TAX ON PAY PHONES (Senate)	619, 1047, 1303, 1319, 1330, 1373, 1393.
S	847	NO SALES TAX/REUSABLE CONTAINERS (Ch. SL 97-0397)	1013, 1233, 1377, 1501, 1540, 1603.
H	295	NO TAX ON INTANGIBLE PROPERTY (Ch. SL 97-0023)	142, 264, 302, 313, 519, 530, 531, 575.
H	529	NO TAX ROLLBACK ON CONDEMNATION (Ch. SL 97-0270)	310, 870, 893, 907, 1180, 1192, 1204, 1209, 1313.
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H	313	PROHIBIT INTANGIBLES TAX ASSESSMENT (Senate)	146, 316, 333, 364, 377.
H	514	PROPERTY TAX CLERICAL ERROR (Finance) (Included Ch. SL 97-0483)	275.
H	272	PUBLIC COLLEGE SALES TAX REFUNDS (Senate)	129, 168, 202, 259, 269.
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H	887	MUNICIPAL EXTRATERRITORIAL JURISDICTION/ ROAD SIGNS (Ways & Means).....	473.
S	474	MUNICIPALITIES' TREE ORDINANCE (Ways & Means)	788.
S	713	RALEIGH FIREMEN'S SUPPLEMENTAL RETIREMENT FUND (Ch. SL 97-0460)	677, 1216, 1568, 1592, 1602.
H	644	RESTORE THE NAME OF HALIFAX STREET (Rules, Calendar & Operations of the House).....	388, 654, 724.
H	614	SWIFT CREEK INCORPORATED (Failed 2nd Reading).....	372, 868, 970, 1092, 1261.
H	128	TRANSFER STATE CAPITOL POLICE TO CRIME CONTROL AND PUBLIC SAFETY (State Government)	92.
H	744	WAKE COUNTY LOCAL ACT (Rules, Calendar & Operations of the House).....	427.
H	568	WAKE FOREST/BEAUFORT ANNEXATION (Ch. SL 97-0432)	337, 1228, 1315, 1395, 1407, 1423, 1510, 1640, 1660, 1677, 1687, 1719.
H	565	WAKE LOCAL ACT (Senate)	337, 750, 1339, 1360, 1391.
H	567	WAKE LOCAL ACT (Rules, Calendar & Operations of the House).....	337.
H	569	WAKE LOCAL ACT (Ch. SL 97-0092)	337, 750, 834, 1008, 1041.
H	889	WAKE LOCAL ACT (Rules, Calendar & Operations of the House).....	474.

WAKE COUNTY-Contd.

S	546	WAKE REAL PROPERTY DISCLOSURE (Rules, Calendar & Operations of the House).....	822.
H	566	WAKE SCHOOLS DEVELOPMENT CHARGES (Ch. SL 97-0450)	337, 1301, 1332, 1394, 1408, 1425, 1674, 1720, 1760, 1799.
S	666	WAKE STREET/ALLEY CLOSURE (Local & Regional Government I)	547, 1296.
H	895	WAKE TOWNS IMPACT FEES (Ways & Means)	475.
H	890	WAKE TREE ORDINANCES (Calendar Pursuant Rule 36(a)).....	474, 751.

WARNER, ALEX

BILLS INTRODUCED - 2, 5, 13, 37, *53, *54, *55, 80, 81, 82, 86, 87, 88, 89, 107, 108, 109, 110, 151, 152, 153, 154, 155, 156, *157, 170, 248, 256, 259, 308, 314, 338, 339, 347, 351, 374, 424, 511, 517, 527, 536, 537, 538, 555, 556, 557, 564, 640, 668, 672, 743, 746, 767, *816, 863, 864, 878, 905, 906, 914, 918, 929, 934, 939, 943, 963, 964, 975, *1010, 1014, 1019, 1024, 1025, 1064, 1069, *1088, 1096, 1115, 1116, 1154, 1155, 1173, 1189, *1191, 1195, 1218, 1220, 1221, 1222, *1236.
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COMMITTEE ASSIGNMENTS - Appropriations; Appropriations, Subcommittee on Capital and Budget; Education; Education, Subcommittee on Preschool, Elementary and Secondary Education; Election Law and Campaign Reform; Environment.
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EXCUSED VOTE: H.B. 27	807.
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OATH	18.
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SECONDS ADJOURNMENT	263.
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WARREN COUNTY

H	388	AMEND TRESPASS OFFENSES (Calendar Pursuant Rule 36(a)).....	190, 730.
H	972	HALIWA NAME CHANGE (Senate) (S 1074)	562, 654, 719.
S	1074	HALIWA NAME CHANGE (Ch. SL 97-0293) (H 972).....	742, 1231, 1265, 1268, 1356.
H	782	WARREN LOCAL ACT (Rules, Calendar & Operations of the House).....	448.

WARWICK, NURHAM O.

APPROVAL OF VOTE CHANGE ON H.B. 465	660.
APPROVAL OF VOTE CHANGE ON H.B. 754	658.
BILLS INTRODUCED - 171, 267, 271, 272, 299, 312, 318, 320, 321, 329, 332, 345, 347, 351, 362, 364, 365, 366, 374, 399, 406, 432, 519, 527, 554, 574, 575, 591, 665, 672, 739, 746, 769, 770, 813, 869, *875, *876, 878, 905, 906, 907, 909, 911, 963, 975, 979, 985, 986, 1010, 1014, 1030, 1069, 1070, 1072, 1088, 1090, 1091, 1092, 1096, 1115, 1116, 1128, 1132, 1154, 1155, 1159, 1168, 1169, 1173, 1177, 1182, 1183, *1195, 1210, 1218, *1220, *1221, *1222, 1225.	
COMMITTEE ASSIGNMENTS - Appropriations; Appropriations, Subcommittee on Capital and Budget; Commerce; Commerce, Subcommittee on Travel and Tourism; Environment; Human Resources; Human Resources, Subcommittee on Aging.	
EXCUSED ABSENCE	41.
OATH	18.
OFFERS PRAYER	379.

WASHINGTON COUNTY

H 702	6TH HOUSE DISTRICT LOCAL ACT (Rules, Calendar & Operations of the House).....	403.
H 452	BEACH PLAN AMENDMENTS (Ch. SL 97-0498) (Included Ch. SL 97-0483).....	234, 632, 685, 1271, 1720, 1761, 1797.
H 703	LOCAL BEAR HUNTING (Rules, Calendar & Operations of the House).....	404.
H 821	WASHINGTON COUNTY LOCAL ACT (Rules, Calendar & Operations of the House).....	461.
H 589	WASHINGTON ROAD HUNTING (Senate)	348, 444, 478.
S 47	WASHINGTON ROAD HUNTING (Ch. SL 97-0095)	164, 992, 1017, 1025, 1041.

WASTE MANAGEMENT -

see **HAZARDOUS WASTE MANAGEMENT COMMISSION**

WATAUGA COUNTY

H 445	WATAUGA LOCAL ACT (Rules, Calendar & Operations of the House).....	233.
H 446	WATAUGA LOCAL ACT (Rules, Calendar & Operations of the House).....	233.

WATER AND SEWER SYSTEMS (G.S. 162A)

H 847	ADDITIONAL POWERS/CERTAIN WATER AUTHORITY (Ch. SL 97-0436)	466, 572, 915, 954, 963, 1499, 1569, 1588, 1610, 1618.
S 799	DISCIPLINE DISCLOSURE ACT (Public Employees)	851.
H 1011	LOW PRESSURE PIPE SYSTEMS REPORT (Senate)	596, 950, 1374, 1422.
H 768	WATER AUTHORITY PROPERTY (Finance)	445, 751.

WATSON, CYNTHIA BAILEY

APPROVAL OF VOTE CHANGE ON S.B. 143.....	1292.
BILLS INTRODUCED - 12, 13, 16, 18, 19, 77, 80, 81, 82, 85, 86, 87, 88, 89, 122, 131, 138, 139, 140, 143, 146, 153, 156, 162, 168, 171, 180, 183, 198, 248, 253, 254, 255, 256, 257, *259, 260, 263, 271, 272, 295, 310, 344, 358, 363, 364, 365, 366, 369, 374, 381, 382, 385, 386, 389, 394, 399, 431, 449, 454, 475, 478, 480, 482, *490, 519, 526, 527, 536, 537, 538, 539, 554, *555, *556, *557, 562, 563, 564, 574, 606, 638, *639, 665, *667, 672, 716, 739, 749, 764, 769, 770, 796, *797, *798, *799, *800, *801, *802, 807, 813, 814, 864, 869, 878, 896, 897, 899, *900, 902, 905, 906, 907, 908, 909, 911, *914, 924, 928, 929, 930, 932, 934, *941, 953, 957, 964, 971, 974, 977, 979, *1008, 1010, 1019, 1021, 1030, 1031, 1032, 1043, 1064, 1069, 1070, 1076, 1077, *1079, 1096, 1115, 1116, 1124, 1128, 1152, 1154, 1155, 1162, 1167, 1195, 1218.	
COMMITTEE ASSIGNMENTS - Agriculture; Appropriations; Appropriations, Subcommittee on Human Resources; Commerce; Commerce, Subcommittee on Travel and Tourism; Environment, Co-Chair; Human Resources; Human Resources, Subcommittee on Families; Transportation.	
CONFEE: H.B. 515	1483.
EXCUSED ABSENCES.....	1494, 1719, 1748.
OATH	18.
OFFERS PRAYER	155.
SECONDS ADJOURNMENT	330.

WAYNE COUNTY

H 765	GOLDSBORO ROOM TAX USE (Local & Regional Government I) (S 719)	431.
S 719	GOLDSBORO ROOM TAX USE (Ch. SL 97-0447) (H 765).....	625, 1651, 1699, 1700, 1723, 1738, 1763, 1798.

WAYNE COUNTY-Contd.

- H 956 HONOR MAJOR MATTHEW TILGHMAN
GOLDSBOROUGH/GOLDSBORO'S ONE
HUNDRED FIFTIETH ANNIVERSARY
(Calendar Pursuant Rule 36(a))
(S 871)..... 546, 752, 806, 912.
- S 871 HONOR MAJOR MATTHEW TILGHMAN
GOLDSBOROUGH/GOLDSBORO'S ONE
HUNDRED FIFTIETH ANNIVERSARY
(Ch. Res. 97-14) (H 956) 1053, 1060.
- S 321 LOCAL OMNIBUS ACT
(Finance) 360, 1507.
- H 812 WAYNE/NAHUNTA REAL PROPERTY
CONVEYANCE (Senate) (S 698) 460, 733, 834.
- S 698 WAYNE/NAHUNTA PROPERTY CONVEYANCE
(Ch. SL 97-0170) (H 812)..... 547, 925, 1091,
1127, 1134, 1149.

WEAPONS

- H 137 AGGRAVATING FACTOR/INJURE OFFICIAL
(Senate) 94, 135, 155.
- S 561 CAMPUS POLICE/CONCEALED HANDGUNS
(Ch. SL 97-0441) 824, 1090, 1166, 1195, 1327,
1491, 1496, 1576, 1592, 1615, 1637.
- H 433 CONCEALED HANDGUN EXEMPTION
(Ch. SL 97-0274) (S 325) 231, 669, 720,
1203, 1212, 1214, 1313.
- S 325 CONCEALED HANDGUN EXEMPTION
(Rules, Calendar & Operations of the House)
(H 433) 788.
- H 958 CONCEALED HANDGUN LAWS AMENDMENTS
(Ch. SL 97-0238) 559, 761, 821,
1140, 1154, 1159, 1250.
- H 523 CONFISCATED GUN/LAW OFFICER USE
(Ch. SL 97-0356) 298, 661, 719,
1419, 1431, 1445, 1507.
- H 493 CURRENT OPERATIONS APPROPRIATIONS ACT
(Appropriations) (S 352)..... 242.
- S 352 CURRENT OPERATIONS APPROPRIATIONS ACT
(Ch. SL 97-0443) (H 493)..... 688, 1073, 1080, 1095,
1101, 1124, 1141, 1723, 1725, 1729, 1748.
- H 1010 GOVERNMENT USE/SEIZED GUN PARTS
(Judiciary I) (S 246) 595.

WEAPONS-Contd.

S	246	GOVERNMENT USE/SEIZED GUN PARTS (Judiciary I) (H 1010)	350.
S	441	HANDGUN FEE REALLOCATION (Ch. SL 97-0470)	1101, 1416, 1450, 1453, 1583, 1615, 1648, 1669.
H	233	NO FIREARMS DISCHARGED NEAR SCHOOLS (Ch. SL 97-0128)	117, 652, 715, 1069, 1079.
H	580	NONRESIDENT HANDGUN PERMIT (Finance)	347, 696.
H	512	SCHOOL SAFETY ACT (Approp - Education)	274, 345, 873.
H	1012	SHOOTING RANGE PROTECTION (Ch. SL 97-0465)	596, 698, 777, 816, 1624, 1646, 1654.

WEATHERLY, JOHN H.

BILLS INTRODUCED - 12, 13, 23, 24, 25, 27, 37, *52, 60, 66, *136,
*147, 176, 180, 194, 215, *224, *225, 237, 238, 239, 240, 241,
242, 243, 244, 245, 246, 247, 248, 267, 273, 310, *322, 334, 338,
357, 361, *369, *370, 389, 425, 426, 427, *457, 478, 482, *484,
501, 509, 511, 527, 529, 536, 554, *577, *583, *610, 643, 665,
672, 707, 716, 739, 770, *777, *778, 813, 845, 864, 891, 909, 938,
951, 964, 984, 986, 1005, 1010, *1039, 1064, 1067, 1074, 1075,
1076, 1077, 1096, 1108, 1109, 1110, 1128, 1149, 1155, 1162,
1171, 1173, 1177, 1195, *1202, 1204.

COMMITTEE ASSIGNMENTS - Agriculture; Appropriations;
Appropriations, Subcommittee on Natural and Economic Resources;
Election Law and Campaign Reform; Environment; Judiciary II;
State Government, Chair.

CONFEREE: H.B. 227	1223.
CONFEREE: H.B. 484 (Chair)	1162.
EXCUSED ABSENCES	932, 946, 1639.
OATH	18.
SECONDS ADJOURNMENT	395, 1118.

WEEKS, DENISE G.

NOMINATED AND ELECTED HOUSE PRINCIPAL CLERK	37.
OATH AS PRINCIPAL CLERK	38.
PRESIDING	11.

WEIGHTS AND MEASURES ACT OF 1975 (G.S. 81A)

H	115	1997 TECHNICAL CORRECTIONS (Ch. SL 97-0456)	88, 523, 567, 625, 1790, 1791, 1802, 1803, 1805, 1816.
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WELFARE

H	301	CHILD SUPPORT/FEDERAL REQUIREMENTS (Ch. SL 97-0433)	143, 701, 949, 1165, 1183, 1585, 1612, 1629, 1638.
H	1173	CONSTRUCTION WORKER TRAINING CREDIT (Commerce - Business & Labor) (S 938).....	738, 951.
S	938	CONSTRUCTION WORKER TRAINING CREDIT (Welfare Reform) (H 1173)	1221.
H	493	CURRENT OPERATIONS APPROPRIATIONS ACT (Appropriations) (S 352)	242.
S	352	CURRENT OPERATIONS APPROPRIATIONS ACT (Ch. SL 97-0443) (H 493).....	688, 1073, 1080, 1095, 1101, 1124, 1141, 1723, 1725, 1729, 1748.
H	451	EMPLOYMENT SECURITY COMMISSION BENEFITS CHANGES (Finance)	234, 703.
H	1069	ENCOURAGE STATE WORK FIRST HIRES (Senate)	607, 763, 841.
S	943	MEDICAID FALSE CLAIMS ACT (Ch. SL 97-0338)	823, 913, 1284, 1338, 1397, 1471.
H	431	PUBLIC ASSISTANCE FRAUD (Ch. SL 97-0497)	231, 356, 424, 502, 520, 551, 554, 695, 745, 748, 769, 1605, 1629, 1646, 1650, 1717, 1737, 1752, 1768, 1797.
H	81	RESIDENCY REQUIREMENTS FOR SPECIAL ASSISTANCE (Ch. SL 97-0210)	67, 218, 249, 257, 636, 924, 940, 999, 1100, 1103, 1114, 1120, 1200.
H	413	WELFARE REFORM ACT OF 1997 (Rules, Calendar & Operations of the House).....	220.
S	1015	WELFARE REFORM ACT OF 1997 (Appropriations)	853, 1037.

WILKES COUNTY

S	58	UNLAWFUL TO REMOVE DOG COLLARS (Ch. SL 97-0150)	153, 992, 1017, 1050, 1064, 1074, 1099, 1109.
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WILKINS, MICHAEL S.

BILLS INTRODUCED -	68, 69, 70, 71, *75, 83, 109, 111, 140, 233, 248, 295, 347, 351, *352, 374, 472, 510, 512, 519, *523, 527, 532, 560, 561, 563, 618, 639, *640, 644, 672, *680, *681, 701, *705, *706, 709, 739, 746, 757, 770, *779, *780, *781, *782, *783, *784, *785, 796, 813, 817, 869, 891, 905, 906, 918, *919, 934, 941, 943, 986, *987, *988, 1010, 1014, 1039, 1047, 1064, 1072,
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WILKINS, MICHAEL S.-Contd.

1075, 1092, 1096, 1115, 1116, 1127, 1128, 1147, 1154, 1155,
1176, 1177, 1195, *1203, 1210, 1218.

COMMITTEE ASSIGNMENTS - Appropriations; Appropriations,
Subcommittee on Natural and Economic Resources; Commerce;
Commerce, Subcommittee on Travel and Tourism; Education;
Education, Subcommittee on Universities; Judiciary II; Technology.

EXCUSED ABSENCE..... 1158.

OATH..... 18.

WILLS (G.S. 31)

H 115 1997 TECHNICAL CORRECTIONS
(Ch. SL 97-0456) 88, 523, 567, 625, 1790,
1791, 1802, 1803, 1805, 1816.

H 191 CERTIFIED COPIES/CUSTODY AND WILLS
(Ch. SL 97-0081) 108, 226, 314, 947, 1009.

H 908 MODIFY RIGHTS OF DECEDENT'S SPOUSE
(Senate) (Included Ch. SL 97-0483) 514, 691, 776.

WILSON COUNTY

H 495 NATURAL GAS
(Ch. SL 97-0426) 252, 426, 641, 920, 979, 1021,
1050, 1521, 1532, 1542, 1548, 1689.

H 828 WILSON CHARTER
(Ch. SL 97-0104) 463, 650, 683,
998, 1014, 1026, 1042.

H 116 WILSON DEER HUNTING
(Rules, Calendar & Operations of the House)
(S 85)..... 88, 157, 174, 1623.

S 85 WILSON DEER HUNTING
(Ch. SL 97-0004) (H 116).... 153, 262, 301, 318, 331.

WILSON, CONSTANCE K.

BILLS INTRODUCED - *3, 52, 148, 248, 295, 296, 315, 316, 358,
372, 382, 395, 405, 432, 433, 481, *497, *498, 499, 511, 518,
*536, 538, 539, 554, 556, *587, 596, *612, 665, 672, 707, 708,
709, 712, 716, 739, 746, 747, 748, 766, 769, 770, 824, 869, 902,
906, 907, 914, 928, 929, 964, 975, 986, 1016, 1019, 1062, 1067,
1069, 1075, 1091, 1096, 1116, 1128, 1155, *1162, 1173, 1188,
1189, 1195, 1243.

COMMITTEE ASSIGNMENTS - Commerce; Commerce, Subcommittee
on Public Utilities; Education; Education, Subcommittee on
Preschool, Elementary and Secondary Education; Election Law

WILSON, CONSTANCE K.-Contd.

and Campaign Reform, Co-Chair; Finance, Co-Chair; Judiciary II; Rules, Calendar, and Operations of the House; Welfare Reform.

CONFEREES: H.B. 15	499.
CONFEREES: S.B. 1 (Chair)	1770.
CONFEREES: S.B. 352	1141.
CONFEREES: S.B. 429 (Chair)	1130.
CONFEREES: S.B. 727	1606.
EXCUSED ABSENCES	148, 1311, 1320, 1340.
OATH	18.

WILSON, GENE

BILLS INTRODUCED - 3, 5, 6, 7, 12, 13, 66, 80, 81, 108, 109, 110, 111, 122, 131, 138, 139, *143, 147, 148, 149, 170, 183, 224, 225, 248, 271, 272, 310, 338, 345, 351, 361, 364, 365, 366, 389, 398, 406, 425, 426, 427, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 457, 478, 508, 509, 511, 519, 527, 529, 536, 548, 554, 555, 560, 561, 563, 575, 610, 639, 665, 673, 701, 707, 716, 717, 739, 746, 769, 770, 796, 813, 824, 845, 869, 871, 909, 919, 927, 928, 929, 938, 951, 964, 975, 980, 984, 986, *994, 1005, 1010, 1014, 1019, 1062, 1063, 1064, 1067, 1093, 1096, 1128, 1155, 1162, 1171, 1177, 1187, 1188, 1193, 1195, 1199, *1211, 1221.	
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COMMITTEE ASSIGNMENTS - Appropriations; Appropriations, Subcommittee on Capital and Budget, Co-Chair; Commerce; Commerce, Subcommittee on Business and Labor; Human Resources; Human Resources, Subcommittee on Aging, Chair; Local and Regional Government II; Pensions and Retirement; Welfare Reform.

CONFEREES: H.B. 81	940.
CONFEREES: H.B. 437	1610.
CONFEREES: S.B. 352	1141.
OATH	18.

WOMBLE, LARRY W.

APPROVAL OF VOTE CHANGE ON H.B. 54	1491.
BILLS INTRODUCED - 2, 32, 33, 83, 171, 223, 270, 351, 399, 479, 480, 481, 527, 550, 551, 552, 554, 591, 598, 711, 883, 906, 907, 918, 939, 1014, 1016, 1058, 1064, *1069, 1070, 1074, 1075, 1089, 1096, 1115, 1116, 1155, 1162, 1177, 1180, 1186, 1188, 1189, 1195, 1218, 1223, 1230, 1235, *1237.	

COMMITTEE ASSIGNMENTS - Commerce; Commerce, Subcommittee on Public Utilities; Finance; Human Resources; Human Resources, Subcommittee on Aging; State Government; State Government,

WOMBLE, LARRY W.-Contd.

Subcommittee on Military, Veterans, and Indian Affairs, Ranking
Minority Member.

EXCUSED ABSENCES.....	1376, 1397, 1413, 1426, 1445, 1459.
OATH.....	18.
OFFERS PRAYER.....	91.
SECONDS ADJOURNMENT	1279, 1327.

WOOD, STEPHEN W.

BILLS INTRODUCED - 17, 20, 22, 37, 64, *76, 86, 89, 123, 124, 125,
183, 248, 271, 272, 288, 295, 303, 310, 313, *378, *379, *381,
389, 390, 391, 394, 432, 448, 468, 482, 518, 525, 527, 536, 554,
*599, 660, *663, 664, 665, 678, 707, 906, 942, 952, 964, 986,
1014, *1040, 1116, 1128, *1133, *1144, 1155, 1162, 1173, 1189,
1195.

COMMITTEE ASSIGNMENTS - Ex-Officio Member of All Committees.

ELECTED SPEAKER PRO TEMPORE..... 36.

EXCUSED ABSENCES..... 590, 845, 897, 1006, 1068,
1078, 1188, 1196, 1494, 1505,
1517, 1529, 1539, 1602, 1617, 1639.

EXCUSED VOTE: S.B. 809 1184, 1292.

NOMINATION OF SELF

AS SPEAKER PRO TEMPORE 35.

OATH AS MEMBER..... 18.

OATH AS SPEAKER PRO TEMPORE 36.

REMARKS AS SPEAKER PRO TEMPORE 36.

WORKERS' COMPENSATION ACT (G.S. 97)

S 727 INSURANCE REGULATORY CHARGE

(Ch. SL 97-0475)

(Included Ch. SL 97-0443) 625, 1012, 1038,
1052, 1054, 1064, 1598, 1606,
1616, 1625, 1642, 1707, 1714.

H 487 PHYSICIANS SERVICES FEE

(Commerce) (S 483)..... 241.

S 483 PHYSICIANS SERVICES FEE

(Ch. SL 97-0508) (H 487)..... 1289, 1616,
1640, 1777, 1795.

S 263 WORKERS COMPENSATION/NONRESIDENT

ALIENS (Ch. SL 97-0301) 798, 1150,
1325, 1329, 1398.

S 914 WORKERS' COMPENSATION HOSPITAL CHARGES

(Ch. SL 97-0145)..... 787, 960, 1004, 1040, 1048, 1109.

WORKERS' COMPENSATION ACT-Contd.

H	891	WORKERS' COMPENSATION MEDICAL CARE (Senate) (S 764)	474, 692, 727, 731, 818.
S	764	WORKERS' COMPENSATION MEDICAL CARE (Ch. SL 97-0308) (H 891).....	787, 1091, 1146, 1170, 1286, 1303, 1306, 1320, 1414.
S	975	WORKERS' COMPENSATION SELF-INSURANCE (Ch. SL 97-0362)	801, 1285, 1463, 1468, 1548.
H	618	WORKERS' COMPENSATION/FRAUD (Ch. SL 97-0353)	373, 458, 505, 1402, 1421, 1427, 1506.

WRIGHT, THOMAS E.

APPROVAL OF VOTE CHANGE ON H.B. 761	1587.
APPROVAL OF VOTE CHANGE ON H.B. 1115	1613.
APPROVAL OF VOTE CHANGE ON S.B. 595	1782.
APPROVAL OF VOTE CHANGE ON S.B. 624	1680.
APPROVAL OF VOTE CHANGE ON S.B. 932	1780.
BILLS INTRODUCED - 83, 108, 109, 110, 150, 151, 152, 153, 154, 157, 223, 248, 318, 424, 432, 479, 480, 481, 486, 513, 527, *550, *551, *552, *553, 554, 561, 563, *576, 591, 640, 814, *825, *826, *833, *834, *835, *836, *837, *838, *839, *840, 878, 906, 918, 934, 941, 951, 963, *974, 986, 987, 1010, 1014, 1016, 1058, *1059, 1069, 1084, 1085, 1090, 1096, 1115, 1128, 1155, 1159, 1195, 1218, 1220, 1222, 1223, 1224, 1230.	
COMMITTEE ASSIGNMENTS - Commerce; Commerce, Subcommittee on Travel and Tourism, Ranking Minority Member; Ethics; Finance; Insurance; Insurance, Subcommittee on Health; State Government, Ranking Minority Member; State Government, Subcommittee on State Parks, Facilities and Property.	
ESCORT FOR DR. JOHN HOPE FRANKLIN	1425.
EXCUSED ABSENCES	130, 148, 395, 439, 693, 845, 868, 911, 1068, 1587.
OATH	18.
SECONDS ADJOURNMENT	1005, 1352, 1814.
SECONDS NOMINATION OF REPRESENTATIVE JAMES B. BLACK AS SPEAKER	24.

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YADKIN COUNTY

H	4	YADKINVILLE SEWAGE TREATMENT CONTRACT (Ch. SL 97-0003)	42, 135, 146, 216.
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YANCEY COUNTY

- S 2 SHORTER ELECTION YEAR
(Rules, Calendar & Operations of the House)..... 275.
- S 121 STATEWIDE TAKING OF BEAVER
(Ch. SL 97-0097) 192, 993, 1017, 1026, 1042.
- H 831 YANCEY/CONSENT FOR CONDEMNATION
(Ch. SL 97-0164) 463, 646, 832, 1107, 1121.

YONGUE, DOUGLAS Y.

- APPROVAL OF VOTE CHANGE ON H.B. 761 1587.
- APPROVAL OF VOTE CHANGE ON S.B. 473 1255.
- BILLS INTRODUCED - 12, 21, 53, 54, 55, 73, 76, 78, 87, 89, 90, 95,
96, 111, 115, 126, 127, 145, 147, 150, 151, 152, 154, 180, 210,
223, 248, 264, 267, 271, 272, 299, 312, 314, 338, 339, 344, 347,
351, 361, 362, 364, 365, 366, 369, 374, *385, *386, 394, 399, 406,
*409, 432, 454, 465, 481, 482, 495, 507, 512, 517, 519, 527, *540,
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639, 640, 665, 688, 701, *710, 739, 743, 746, 767, 769, 770, 816,
*842, 878, 906, 934, 963, 975, 986, 1010, 1014, 1016, 1025, 1039,
1061, 1064, 1069, 1084, 1088, 1096, 1115, 1116, 1154, 1155,
1158, 1159, 1168, 1169, 1173, 1177, 1180, 1191, 1195, 1218,
1220, 1221, 1222, 1230, 1232, 1236.
- COMMITTEE ASSIGNMENTS - Agriculture; Appropriations;
Appropriations, Subcommittee on Education; Environment, Ranking
Minority Member; Pensions and Retirement.
- OATH 18.
- SECONDS ADJOURNMENT 1131.

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23	H 295	60	S 98	97	S 121
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33	H 178	70	H 336	107	S 282
34	S 187	71	S 265	108	H 112
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115	H 1098	155	S 811	195	S 430
116	H 522	156	H 53	196	S 465
117	H 771	157	H 477	197	S 785
118	S 34	158	H 704	198	S 816
119	H 202	159	H 977	199	S 855
120	H 414	160	S 524	200	S 953
121	S 106	161	H 97	201	H 833
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131	S 437	171	S 936	211	H 277
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139	S 323	179	H 1024	219	H 698
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236	S 71	276	S 537	316	S 556
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239	S 765	279	H 311	319	H 739
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241	S 329	281	H 545	321	S 648
242	H 476	282	H 681	322	H 653
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249	H 67	289	S 885	329	S 921
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251	H 655	291	H 407	331	S 141
252	H 695	292	H 754	332	S 234
253	H 753	293	S 1074	333	S 251
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356	H 523	396	H 1052	436	H 847
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359	H 146	399	H 485	439	H 1157
360	H 844	400	H 1097	440	S 273
361	S 585	401	S 347	441	S 561
362	S 975	402	H 302	442	S 757
363	H 63	403	S 182	443	S 352
364	H 859	404	S 382	444	S 624
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369	S 374	409	H 99	449	H 496
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379	H 448	419	S 439	459	H 949
380	S 389	420	H 437	460	S 713
381	H 239	421	S 597	461	S 426
382	H 408	422	S 442	462	S 438
383	H 510	423	H 35	463	S 730
384	S 168	424	S 861	464	H 231
385	S 571	425	S 833	465	H 1012
386	S 250	426	H 495	466	H 1096
387	S 660	427	S 812	467	H 1108
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390	H 896	430	S 297	470	S 441
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481	S 583	500	H 853	519	S 932
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9	S 1072	20	H 1153	31	S 1087
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